

Declarations of Interests

Items

1. Development and Infrastructure Services - Planning and Building Services Report 2014-32 dated July 21, 2014 regarding Proposed Zoning By-law Amendment - 212 Davis Drive. p. 1

The Commissioner of Development and Infrastructure Services and the Director of Planning and Building Services recommend:

a) THAT Development and Infrastructure Services - Planning and Building Services Report 2014-32 dated July 21, 2014 regarding Proposed Zoning By-law Amendment Application D 14-NP-14-04 - 212 Davis Drive be received and the following recommendations be adopted:

i) THAT the Application for a Zoning By-law Amendment submitted by Green and Rose Developments Inc. for lands municipally known as 212 Davis Drive be referred to a public meeting;

ii) AND THAT following the public meeting, the issues identified together with comments from the public, Committee and those received through the agency and departmental circulation of the application, be addressed by staff in a comprehensive report to the Committee of the Whole, if required;

iii) AND THAT Brad Rogers of Groundswell Urban Planners, 30 West Beaver Creek Road Unit 109 Richmond Hill, ON L4B 3K1 be notified of this action.

2. Joint Development and Infrastructure Services and Community Services Report ES 2014-49 dated July 21, 2014 entitled Leash Free Dog Park. p. 17

The Commissioners of Development and Infrastructure Services, Community Services and the Director of Engineering Services recommend:

a) THAT Joint Development and Infrastructure Services and Community Services Report ES 2014-49 dated July 21, 2014 entitled Leash Free Dog Park be received and the following recommendations be adopted:

i) THAT staff be authorized to proceed with the construction of the proposed Leash-Free Dog Park on the west side of Bayview Parkway south of the entrance to the Tom Taylor Trail in accordance with the design reviewed at the Public Information Centre conducted on June 26, 2014;

ii) AND THAT the 2014 Capital Budget be increased from \$100,000 to \$170,000;

iii) AND THAT financing of \$70,000 be from Development Charges;

iv) AND THAT pending the collection of sponsorship funds, interim financing of \$100,000 be advanced from reserves;

v) AND THAT the proposed sponsorship funding in the amount of \$100,000 as outlined in this report be accepted subject to the execution of the appropriate sponsorship agreements;

vi) AND THAT staff be directed to provide a follow-up information report with respect to the proposed operating procedures which would be based on best practices from existing facilities in other jurisdictions, including a delineation of the responsibilities of the Town and the volunteer organizing Committee;

vii) AND THAT staff be directed to report back to Council on revisions necessary to applicable by-laws, if any;

viii) AND THAT staff be directed to review the warrants for pedestrian crossing of Bayview Parkway at this location and report back to Council.

3. Development and Infrastructure Services - Planning and Building Services Report 2014-33 dated July 21, 2014 regarding Proposed Zoning By-law Amendment - 345-351 Davis Drive. p. 23

The Commissioner of Development and Infrastructure Services and the Director of Planning and Building Services recommend:

a) THAT Development and Infrastructure Services - Planning and Building Services Report 2014-33 dated July 21, 2014 regarding Proposed Zoning By-law Amendment Application D 14-NP-13-29, 345-351 Davis Drive be received and the following recommendations be adopted:

i) THAT the Application for a Zoning By-law Amendment submitted by 1738357 Ontario Limited for lands municipally known as 345-351 Davis Drive be referred to a public meeting;

ii) AND THAT following the public meeting, issues identified together with comments from the public, Committee and those received through the agency and departmental circulation of the application, be addressed by staff in a comprehensive report to the Committee of the Whole, if required;

iii) AND THAT Andrew Fernacik, Walker, Nott, Dragicevic Assoc. Limited 90 Eglinton Avenue East Suite 970 Toronto ON M4P 2Y3 be notified of this action.

4. Development and Infrastructure Services Report - Planning and Building Services 2014-34 dated July 10, 2014 regarding Application for Official Plan and Zoning By-law Amendments - Proposed Medical Development - Mulock Canada Med Inc. - 536 and 550 Mulock Court. p. 39

The Commissioner of Development and Infrastructure Services and the Director of Planning and Building Services recommend:

a) THAT Development and Infrastructure Services Report - Planning and Building Services 2014-34 dated July 10, 2014 regarding Application for Official Plan and Zoning By-law Amendments be received and the following recommendations be adopted:

i) THAT the Application for Official Plan and Zoning By-law Amendments as submitted by Mulock Canada Med Inc. for lands located at 536 and 550 Mulock Court be denied;

ii) AND THAT Mulock Canada Med Inc., 11 Whitfield Court, Aurora, ON L4G 5L8 be notified of this action;

iii) AND THAT iPLANcorp, c/o Bart Ryan, 189 Beechwood Crescent Newmarket ON L3Y 1W2 be notified of this action.

5. Development and Infrastructure Services Report - Engineering Services 2014-46 dated July 3, 2014 regarding the Final Acceptance and Assumption of Underground and Aboveground Works - Paolini Residential Subdivision. p. 52

The Commissioner of Development and Infrastructure Services and the Director of Engineering Services recommend:

a) THAT Development and Infrastructure Services Report - Engineering Services 2014-46 dated July 3, 2014 regarding the Final Acceptance and Assumption of Underground and Aboveground Works be received and the following recommendations be adopted:

i) THAT the request for Final Acceptance and Assumption of Underground and Aboveground Works of the Paolini Residential Subdivision as shown on the attached map be finally accepted and assumed by the Town.

6. Development and Infrastructure Services Report - Engineering Services 2014-47 dated July 3, 2014 regarding the Final Acceptance and Assumption of Underground and Aboveground Works - Stickwood Walker Eco Development Farm Residential Subdivision. p. 56

The Commissioner of Development and Infrastructure Services and the Director of Engineering Services recommend:

a) THAT Development and Infrastructure Services Report - Engineering Services 2014-47 dated July 3, 2014 regarding the Final Acceptance and Assumption of Underground and Aboveground Works - Stickwood Walker Eco Development Farm Residential Subdivision be received and the following recommendations be adopted:

i) THAT the request for Final Acceptance and Assumption of Underground and Aboveground Works of the Stickwood Walker Eco Development Farm Residential Subdivision as shown on the attached map be finally accepted and assumed by the Town;

ii) AND THAT Mr. Vince Naccarato of Rodeo Fine Enterprises Inc. and Mr. Robert De Angelis, P. Eng., of Condeland Engineering Ltd. be notified of these recommendations.

7. Development and Infrastructure Services Report - Engineering Services 2014-48 dated July 3, 2014 regarding Menkes - Stickwood Walker Farm Estates Final Acceptance and Assumption of Underground and Aboveground Works . p. 60

The Commissioner of Development and Infrastructure Services and the Director of Engineering Services recommend:

a) THAT Development and Infrastructure Services Report - Engineering Services 2014-48 dated July 3, 2014 regarding the Menkes - Stickwood Walker Farm Estates Final Acceptance and Assumption of Underground and Aboveground Works be received and the following recommendations be adopted:

i) THAT the request for final Acceptance and Assumption of Underground and Aboveground Works of the Residential Subdivision as shown on the attached map be finally accepted and assumed by the Town;

ii) AND THAT Mr. Steven Menkes - Walker Farm Estates Inc., and Mr. John Kaczor, P. Eng., of MMM Group Ltd. be notified of these recommendations.

Adjournment



DEVELOPMENT AND INFRASTRUCTURE SERVICES – PLANNING DIVISION
 TOWN OF NEWMARKET
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July 21, 2014

**DEVELOPMENT AND INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES –
 PLANNING REPORT 2014-32**

TO: Committee of the Whole

SUBJECT: Proposed Zoning By-law Amendment
 212 Davis Drive
 Green and Rose Developments Inc.
 File No: D 14-NP-14-04

ORIGIN: Application Submitted to the Planning Department

RECOMMENDATIONS

THAT Development and Infrastructure Services/Planning & Building Services - Planning Report 2014-32 dated July 21, 2014 regarding Proposed Zoning By-law Amendment Application D 14-NP-14-04 be received and that the following recommendations be adopted:

1. THAT the application for a Zoning By-law Amendment submitted by Green and Rose Developments Inc. for lands municipally know as 212 Davis Drive, be referred to a public meeting;
2. AND THAT following the public, the issues identified, together with comments from the public, Committee and those received through the agency and departmental circulation of the application, be addressed by staff in a comprehensive report to the Committee of the Whole, if required;
3. AND THAT Brad Rogers of Groundswell Urban Planners, 30 West Beaver Creek Road, Unit 109, Richmond Hill, Ontario L4B 3K1 be notified of this action.

COMMENTS

1. Purpose of the Report

The purpose of this report is to recommend that the above noted application for a Zoning By-law Amendment to permit a 15 storey, 225 unit rental apartment building at 212 Davis Drive be referred to a public meeting.

2. Location and Site Description

The subject property is located on the south side of Davis Drive, approximately mid-distance between Parkside Drive and Lorne Avenue and is municipally known as 212 Davis Drive. The property has an area of 0.9731 ha (2.4 acres), a frontage of 49.85 m (163.55 ft.) on Davis Drive and a depth of 193.5 m (634.84 ft.). The property is currently vacant.

A tributary of the Western Creek traverses the frontage of the property in an open channel. A small drainage swale located on the south-west corner of the property drains the subject property and the adjoining properties to the west. The property has been previously filled and as a result is generally higher in elevation than the surrounding landscape.

The surrounding land uses are:

- East: the property adjacent and to the east is owned by Newmarket Church of Christ (230 Davis Dr.), and the existing development is a church and associated parking lot. This property is identified in the Newmarket Urban Centre Secondary Plan as Parkland. East of 230 Davis Drive are 5 apartment buildings varying in height in the range of 9 -10 storeys.
- South: a small drainage swale and the rear yards of the adjacent residential subdivision that fronts on Queen Street
- West: a mix of commercial and industrial uses that have access onto Deerfield Road and Davis Drive
- North: Davis Drive and on the north side of Davis Drive a number of vacant parcels.

See attached **Location Map**.

3. Proposal

Green and Rose Developments Inc. has submitted an application for a Zoning By-law Amendment to permit a 45.11 m (15) fifteen storey rental apartment building containing approximately 225 units and having a gross floor area of 17,923 m² and a density of 1.836 FSI.

The Zoning By-law Application proposes to increase the density, height, and front yard setback beyond what is provided for in the current zoning by-law.

The primary access is proposed onto Davis Drive as a joint access and is located at the current driveway to the adjacent property to the east, 230 Davis Drive, owned by Newmarket Church of Christ.

A secondary access is proposed to be provided to the proposed public Minor Collector identified in the Newmarket Urban Centres Secondary Plan (adopted June 23, 2014) and located across the rear of the subject property. This secondary access is currently proposed through the proposed parking structure. No vehicular or pedestrian connectivity is proposed to the east or the west.

See attached **Streetscape & Landscape Plan**.

The complete set of plans and supporting documents filed in support of this application can be viewed through the following link to the Town's web site:

<http://www.newmarket.ca/en/townhall/plannotic.asp#212davisdrive>

4. Related Applications

a) Consent Application

A consent application has been filed to sever the subject lands (212 Davis Drive) from the adjoining lands to the west (175 Deerfield Road). A conditional approval was granted February 19, 2014. The conditional approval is valid until February 26, 2015.

b) Site Plan Application D11 NP 14 04

Concurrent with the filing of the Zoning By-law Application, a Site Plan Application has been filed. Once the Zoning By-law application is advanced to the appropriate stage, the Site Plan Application will be processed.

c) Deferral of Development Charges

In the fall of 2014, the Town of Newmarket and the Region of York both supported a 36 month deferral of the development charges in support of purpose built market rental with approximately 56 affordable housing units, as a pilot project at 212 Davis Drive. This application has been submitted in response to the Town and Regional support and is regarded as providing a much needed contribution to the rental stock in Newmarket and the Region as a whole.

The Town also agreed to defer the Planning Application fees and the Building Permit fees for the same time period, with no Letter of Credit required.

Cash in lieu of parkland would also be deferred for the 36 months from the issuance of the Building Permit.

The agreement (under preparation) requires that the apartment remain as rental for a minimum of 20 years.

5. Preliminary Review

a) Newmarket Official Plan Considerations

The subject property is designated Urban Centre and is identified within the Yonge Street Regional Centre area. The Urban Centre designation permits a broad range of residential, commercial, office and institutional uses. Densities for residential uses are established in Section 4.4 as follows:

- a residential density of 30-125 units per net hectare;
- a maximum Floor Space Index (FSI) of 1.0 in Phase 1 (prior to the preparation of the Urban Centres Secondary Plan); and greater than 1.0 through appropriate studies;
- a target of approximately 60-250 persons and jobs per hectare in Phase 1 (Section 4.4 - Table 1).

Section 4.4.3 provides that increased densities from those identified above may be permitted through a zoning by-law amendment, provided supporting studies are submitted that demonstrate that the proposed

development will not create an unacceptable level of traffic, will be compatible with the existing surrounding development and in conformity with the intent of the applicable provisions of the Official Plan.

This application has provided the requisite studies (subject to the comments below) to support an increase in density in accordance with the above provisions.

The general policies of the Urban Centres also directs that:

- provide for a transition with Stable Residential Areas(Policy 4.2.2 b)
 - a safe pedestrian environment be provided(Policy 4.2.2 c)
 - provide good access and circulation(Policy 4.2.2 d)
 - a high quality of urban design(Policy 4.2.3)
 - provide maximum pedestrian, bicycle, vehicular connectivity and route choices(Policy 4.2.4)
- In addition, there are a number of other Official Plan policies that apply to the consideration of the form and function of the proposed zoning-by-law amendment application, including:
- Section 3.10.2 - Affordable Housing;
 - Section 12.0 - Urban Design and Compatibility Policies (including but not limited to urban design principles, vehicular and pedestrian connectivity, common areas, safety, sustainability in design, transit amenities, and urban centre character);
 - Section 16.1.6 Recreational needs and park dedication; and
 - Section 15.0, Transportation Network which includes accessibility and streetscaping.

The above is not meant to be an exhaustive list of the provisions of the Official Plan, but aims to illustrate several of the main considerations.

b) Region of York Official Plan

The subject property is designated “Urban Area” in the Region of York Official Plan. Several Regional policies apply and will be identified in part through Regional comments.

c) Growth Plan for the Greater Golden Horseshoe(Growth Plan)

The Growth Plan for the Greater Golden Horseshoe does not specifically designate the subject lands as they are outside the Provincial Urban Growth Centre, however, the general intensification policies apply. The Town's Official Plan is in conformity with the Growth Plan and provides for intensification as addressed above. The recently adopted Secondary Plan addresses the intensification policies of the Growth Plan and the Regional Plan in detail.

d) The Big Move - Regional Transportation Plan

The subject property is located on the Rapid Transit way along Davis Drive and is between two mobility hubs identified at the Go-train station and the at the Yonge Davis Provincial Urban Growth Centre. The proposed development proposes additional density to sustain the investment in rapid transit and is within walking distance of the Yonge Davis Anchor Hub.

e) Provincial Policy Statement (2014)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Decisions affecting planning matters "shall be consistent" with the PPS. The proposed Zoning By-law Amendment is impacted by a number of provisions including Section 1.1 Managing and Directing Land Use to Achieve Efficient Development and Land Use Patterns, Section 1.4 Housing, Section 2.2 Water with respect to protecting the quality and quantity of municipal drinking water and Section 1.8 Energy and Air Quality with respect to promotion of alternative and renewable energy. Subject to the issues below, consistency with the PPS is expected to be achievable.

f) Official Plan Amendment 10 - Newmarket Urban Centres Secondary Plan (Secondary Plan) - Adopted June 23, 2014

Through the consideration of this application, regard should be had to the policies of the Secondary Plan, including but not limited to, the density and height policies, rental and Affordable and Rental Housing (Policy 6.4.3 & 4), Urban Design and Sustainability (Policy 7.0), Block Structure and Street Network (Policy 8.0), Transportation and Mobility(Policy 9.0), Parks, Open Space and Natural Heritage (Policy 10.0), and Servicing, including underground hydro facilities (Policy 13.0).

The Secondary Plan has deferred the two Private Roads/Lanes identified on Schedule 5 – Street Network, to allow for the details of their location to addressed through this application.

The portion of the property proposed to contain the 15 storey (45.11 m high) apartment is within the Medium-high Density designation on Schedule 4: Height and Density. The southern portion of the property proposed for an above ground parking structure is within the Medium Density designation. The height of the proposed apartment is 45.11(15 storeys) while the proposed density is 1.836 FSI. The proposed height is within the height range that is Discretionary and subject to bonusing in the Secondary Plan, while the density is within the permitted density of 2.0 FSI for the Medium-high designation.

An agreement with the Region and the Town will be required to address the appropriate provisions that warrant an increase in density and height beyond the current Zoning provisions and the intent of the Secondary Plan, e.g., purpose built rental, affordable housing, public road dedication, parkland, road and pedestrian connectivity, etc.

The list of additional policies of the Secondary Plan identified above will also be considered in the assessment of this application.

g) Official Plan Amendment 11 - Newmarket's Active Transportation Network -Adopted June 23, 2014

Through the consideration of this application, regard should be had to the policies and Schedules of OPA # 11, the Active Transportation Network.

The Active Transportation Network identifies a Primary Off-Road linkage in the vicinity of the subject property(212 and 230 Davis Drive). This part of the Active Transportation Network provides an integral link between Haskett Park and the existing neighbourhood to the south, through to Davis Drive. The final

location of this connection should be addressed to the greatest extent possible in conjunction with this application.

Davis Drive is also identified as a Primary Active Transportation Network within the Right-of-Way in conformity with the Regional Cycling Network in the Regional Official Plan (Map 10) and the Town's Official Plan (Schedule D On-Street Bike Lane Plan). However, the provision for a cycling facility and widened sidewalks on Davis Drive cannot be achieved within the current regional right-of-way. The additional land required to provide the necessary space to accommodate the cycling facility and wider sidewalks at the ground level is proposed to be secured through the provision for additional land along the Davis Drive right-of-way for the future burying of the Hydro services provided for through the Town's Secondary Plan. Therefore, the zoning application will need to consider and address the required setbacks from Davis Drive to ensure there is sufficient space for the future burying of the hydro and associated utilities and the associated surface considerations e.g., wider sidewalks and cycling facility. The dedication of the land and/or an easement for the additional land should form part of the agreement with the applicant.

6. Comments Received (July 9, 2014)

Region of York – Supports the principle of the zoning by-law application and indicates that the following issues be addressed at the site plan stage final site servicing, hoarding and crane swing, grading and landscaping, erosion control, etc.

The following technical issues have also been identified.

- A Draft 65R-Plan is required to show the access easement and interconnection between the subject property and the adjacent property to the east (230 Davis Dr.).
- That the shared access be confirmed as a right-in/right-out access and is consistent with the YRRTC detailed design.
- Provision for sidewalks along the proposed shared right of way with 230 Davis Dr.
- Provision for a connection to the west property limit to allow for access to a future extension of Deerfield Drive should be provided.
- Specific measures be included to support active transportation and public transit e.g., internal and external shared pedestrian and cycling connections, bicycle parking and reduced parking rates.
- Internal vehicular circulation and pickup areas is required to provide continuous flow-through circulation for YRT/Viva Mobility Plus specialized vehicles as these vehicles do not manoeuvre in a reverse direction.
- There is no objection in principle to the development at this time from a water resource impact perspective, however, potential water quality and quantity threats to the municipal water supply is required to be identified and a Source Water Impact and Assessment Mitigation Plan submitted and approved by the Region prior to Site Plan approval.
- In accordance with policy 2.3.37 of the York Region Official Plan Low Impact Development (LID) measures including but not limited to rainwater harvesting, phosphorous reduction, constructed wetlands, bioretention swales, green roofs, permeable surfaces, clean water collection systems, and the preservation and enhancement of native vegetation.

Newmarket Engineering Services – Review under consideration.

Newmarket Building Services - no concerns with the Zoning Bylaw Amendment Application.

Lake Simcoe Region Conservation Authority – Review is under consideration of the Functional Stormwater Management Report, the Streetscape & Landscape Plan and Landscape Elevations.

The Authority advised that:

- the Zoning By-law be subject to the Floodplain and Other Natural Hazards Zone and their appropriate buffers being applied as it relates to the watercourse across the frontage of the property (watercourse and erosion hazards);
- the owner obtain an agreement from the adjacent owner (175 Deerfield Road) to permit the relocation of the drainage feature to the adjacent property;
- it is the responsibility of the applicant to obtain the necessary approvals from the Federal Department of Fisheries with respect to any alteration of the watercourse that traverses the frontage of the property.

North-South Environmental (Environmental Peer Reviewer on behalf of the Town) -

- there are no significant outstanding natural heritage issues;
- the re-alignment or the small watercourse onto the adjacent property will require the agreement of the adjacent landowner;
- technical updates to the Environmental Impact Assessment is required to more thoroughly address: other related reports (arborist report), features and functions including the trees and shrubs, surface and groundwater functions, etc., including clear representation of the features in the required reports.

Arborvalley Urban Forest Co. Inc. (Arborist Peer Reviewer on Behalf of the Town) –

- written permission is required from the adjacent landowner (175 Deerfield) before the Town can consider permission to remove trees from the adjacent property;
- calculations are required to identify the cm of all trees proposed to be removed and also the total cm of those trees proposed to be replaced in accordance with the Town' Tree Preservation, Protection, Replacement and Enhancement Policy;
- trees impacted by the proposed bioswale need to be identified;
- clarification is required to address the impact of grading on trees identified as #60, 61, 63 and 64;
- The Grading Plan and the conclusions of the Arborists report appear in conflict and the apparent conflict is required to be addressed; and
- The tree inventory should be reviewed for accuracy and update.

Aiolos Engineering Corporation (Noise Peer Reviewer on behalf of the Town) –

- A detailed noise assessment is required (current assessment is considered a feasibility study only).
- The determination of noise levels from adjacent sources including Davis Drive are and the conclusion that no physical barriers are required, is acceptable.
- The recommendation that the day-time noise level exceedances from Davis Drive traffic be addressed through central air conditioning and appropriate warning clauses in the appropriate agreement with tenants is acceptable.
- The following two issues are required to be addressed:
 - Appropriate mitigation measure if the industrial uses to the west employ tanker trucks with blowers to supply resin to the plant silos.
 - The impact of truck traffic to and from the two main industries need to be addressed in the updated noise assessment.

York Region District School Board - no school site is required.

Central York Fire Services - CYFS has no objection to the application to amend the zoning by-law subject to the following:

- Site servicing plans shall detail all water supply mains and fire lines with sizes that ensure an adequate water supply for firefighting.
- The fire department connection for an automatic sprinkler system shall be located so that the distance from the fire department connection to a hydrant is not more than 45 m and is unobstructed. (Drawings indicate ~38m from existing hydrant to sprinkler connection, but also indicates retaining wall c/w guard and landscape activities).
- Authorized signs shall be placed at the points of commencement and termination of the fire route, respectively, and at 23.0 metre intervals in between the said points of the commencement and termination.
- Where the fire route abuts the face of a building, fire route signs may be affixed to the face of the building at a minimum height of 2.0 metres, and a maximum height of 2.75 metres.
- Where the fire route abuts a sidewalk or landscaped area, fire route signs shall be erected on permanent posts at a minimum height of 2.0 metres, and a maximum height of 2.75 metres.

Enbridge - all costs of relocation services and/or easements will be responsibility of the applicant.

Bell - applicant is required to confirm that the communication/telecommunication infrastructure is proposed both to and within the proposed apartment to serve the residents and to deliver emergency management services; and indicates that the cost of connection to such services will be at the developer's expense.

7. Preliminary Issues

The following preliminary issues address matters that are of a design and/or are of a technical basis that may impact the location of the proposed building and therefore the provisions of the proposed Zoning By-law Amendment.

1. Connectivity - Has the proposed plan adequately addressed the pedestrian connectivity to the site from Davis Drive (sidewalks as required by the Region) or connectivity in conjunction with 230 Davis Drive for the Active Transportation Network linkage between Haskett Park and Davis Drive?
2. Parks and Open Space - Has the application adequately addressed Parks and Open Space, including Urban Squares?
3. Internal Vehicular Flow - Is the internal vehicular flow and access at Davis Drive appropriate to meet the Town and the Regional requirements, connectivity and fine grain grid, Mobility Plus vehicles, Emergency Services, moving and garbage pick-up, etc.?

4. Underground Hydro Facilities - Has the application made appropriate provision for the future burying of hydro and associated utilities and companion benefitting surface facilities e.g., wider sidewalks and cycling facilities on Davis Drive?
5. Grading - Is the proposed grading appropriate to ensure that there is appropriate grading transitions to the adjacent properties and connectivity to the proposed public Primary Collector identified in the Newmarket Urban Centre Secondary Plan located across the southern periphery of the subject property; and has suitable connectivity been provided to the development block adjacent and to the west?
6. Stormwater Management - Has the Stormwater Management Plan adequately addressed the provisions of the Regional Plan and the Secondary Plan including but not limited to Low Impact Development and other measures aimed at increasing infiltration, improving water quality and quantity, reducing flooding and connection to the appropriate stormwater receptor?
7. Floodplain, Natural Hazards and Fisheries - Has the application adequately addressed the requirements of the Conservation Authority and the Department of Fisheries and Oceans with respect to floodplain and other natural hazards and fisheries?
8. Urban Design and Sustainability - Have the applicable Urban Design and Sustainability considerations as set out in the Secondary Plan been given appropriate consideration, e.g., podium height, shadow impacts, outdoor amenity space, bird friendly practices, streetscapes and boulevards, energy and water conservation, etc.
9. Affordable and Rental Housing - Has the requirements of the Regional Plan and the provisions of the Secondary Plan been appropriately address through the necessary provisions for agreement(s) to address rental and affordable housing, mix of housing units, etc.?
10. Noise and Air Quality - Has noise and air quality impacts from the adjacent industrial uses been adequately addressed?
11. Servicing - Has the servicing of the site been adequately addressed?

The above issues will be address in conjunction with the outstanding comments and the public input following the statutory public meeting.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

The proposed application addresses the following Strategic Directions:

Well-planned and Connected

- furthering the provisions of the Official Plan
- improved inter-connectivity and interaction amongst neighbours and neighbourhoods

Well-equipped & Managed

- provides for varied housing types, affordability and densities

Living well by:

- implementing traffic and growth management strategies.

CONSULTATION

Consultation has been carried out with Internal and external agencies as addressed above, and Legal Services. The recommendation of this report refers the application to a statutory public meeting as required by the *Planning Act*.

HUMAN RESOURCE CONSIDERATIONS

None applicable to this report.

BUDGET IMPACT

The Town will receive the planning application and development charges fees following the 36 month deferral and will receive increased tax revenue.

Capital Budget

Parkland fees will be applied to the acquisition of parkland and the development charges will contribute to the public Minor Collector road located at the rear of the property as identified in the Newmarket Urban Centres Secondary Plan.

CONTACT

For more information on this report, contact Marion Plaunt, Senior Planner, Policy at 905 953-5300 x. 2459 or at mplaunt@newmarket.ca.



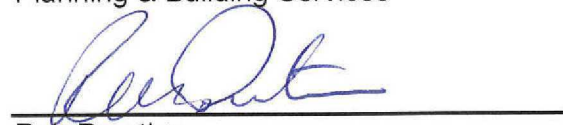
Marion Plaunt, MES, MCIP, RPP
Senior Planner – Policy
Planning & Building Services



Jason Unger, B.E.S., M.P.I, MCIP, RPP
Assistant Director of Planning
Planning & Building Services

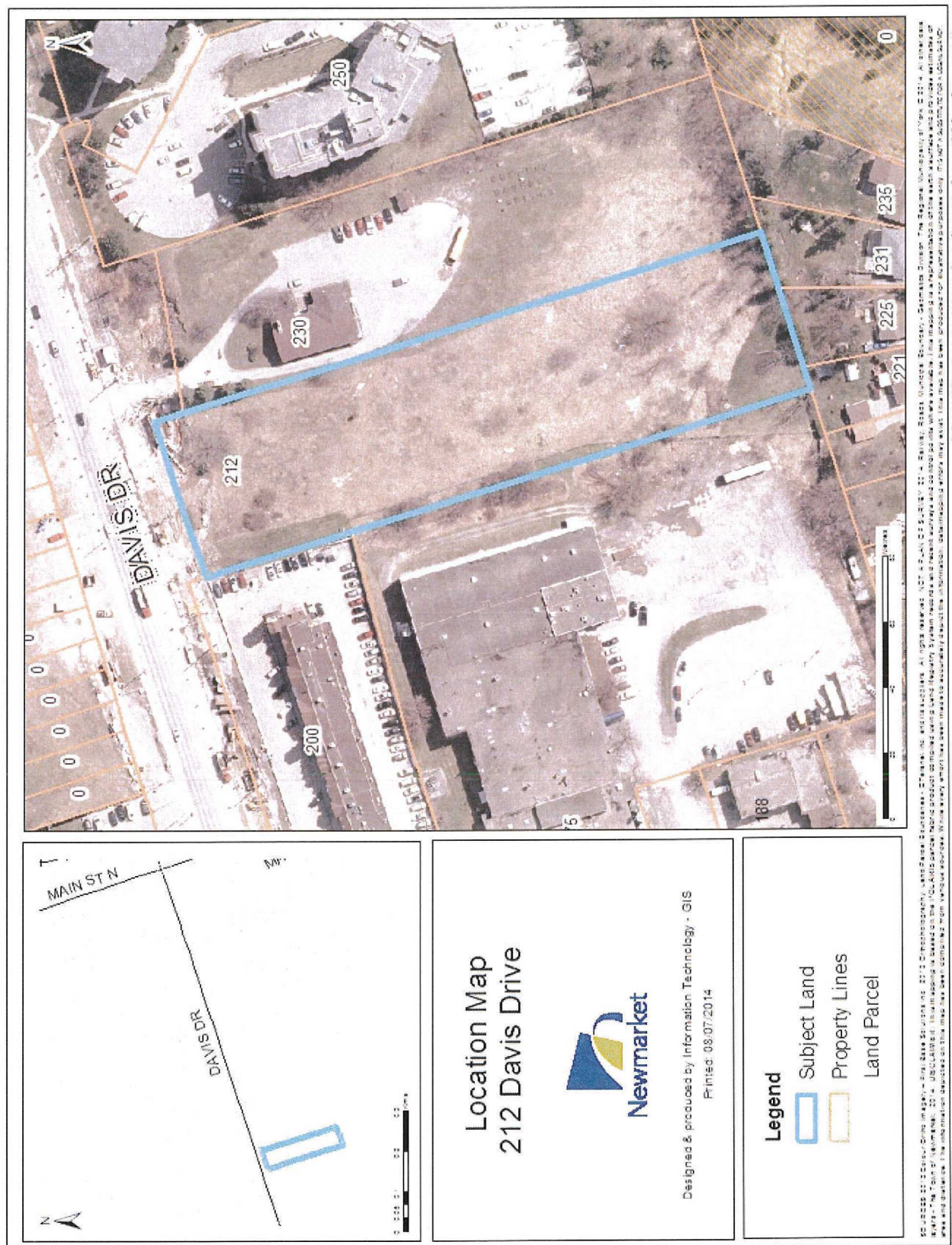


Richard Nethery, B.E.S., MCIP, RPP
Director of Planning & Building Services

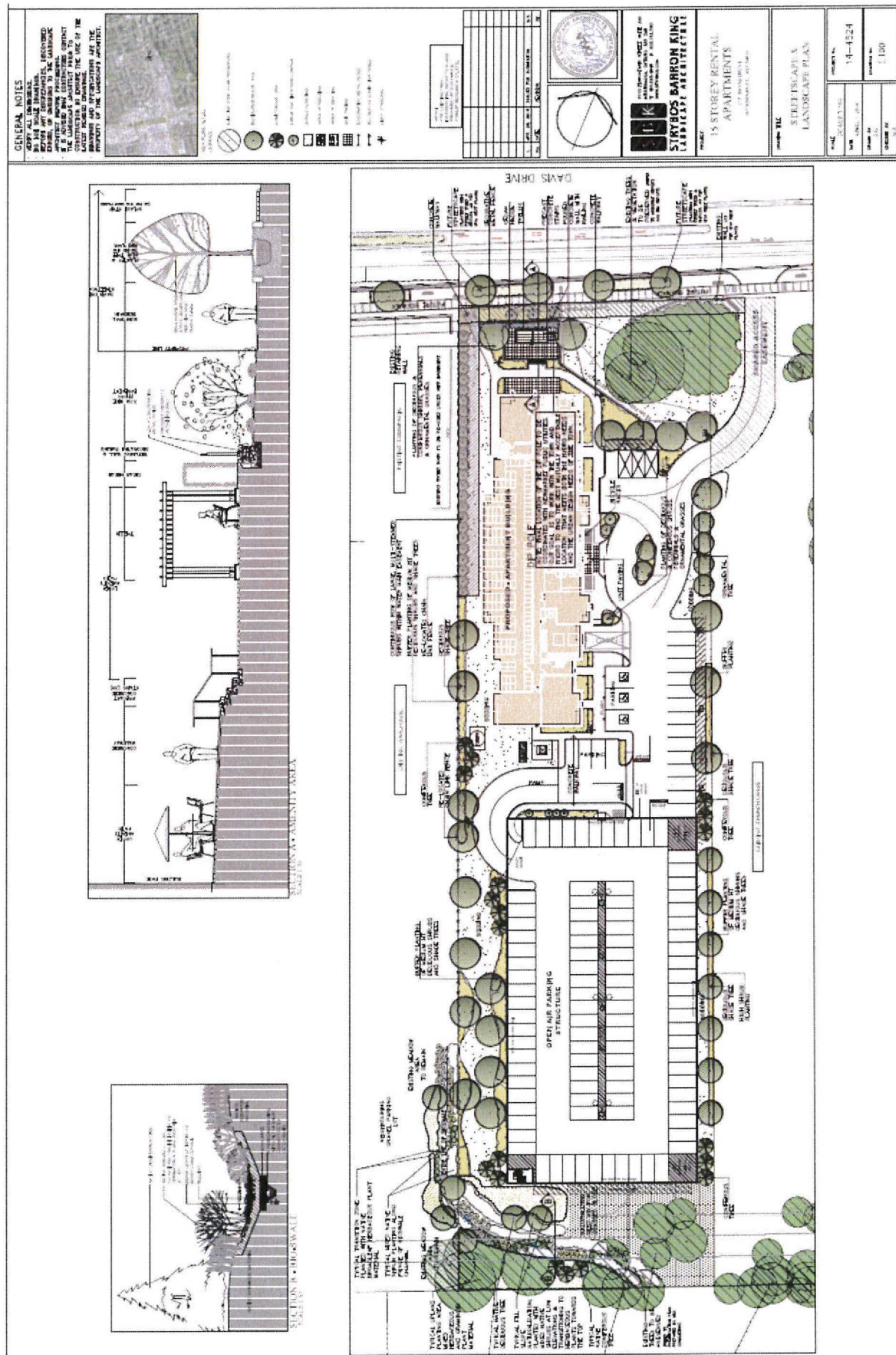


Rob Prentice
Commissioner
Development and Infrastructure Services

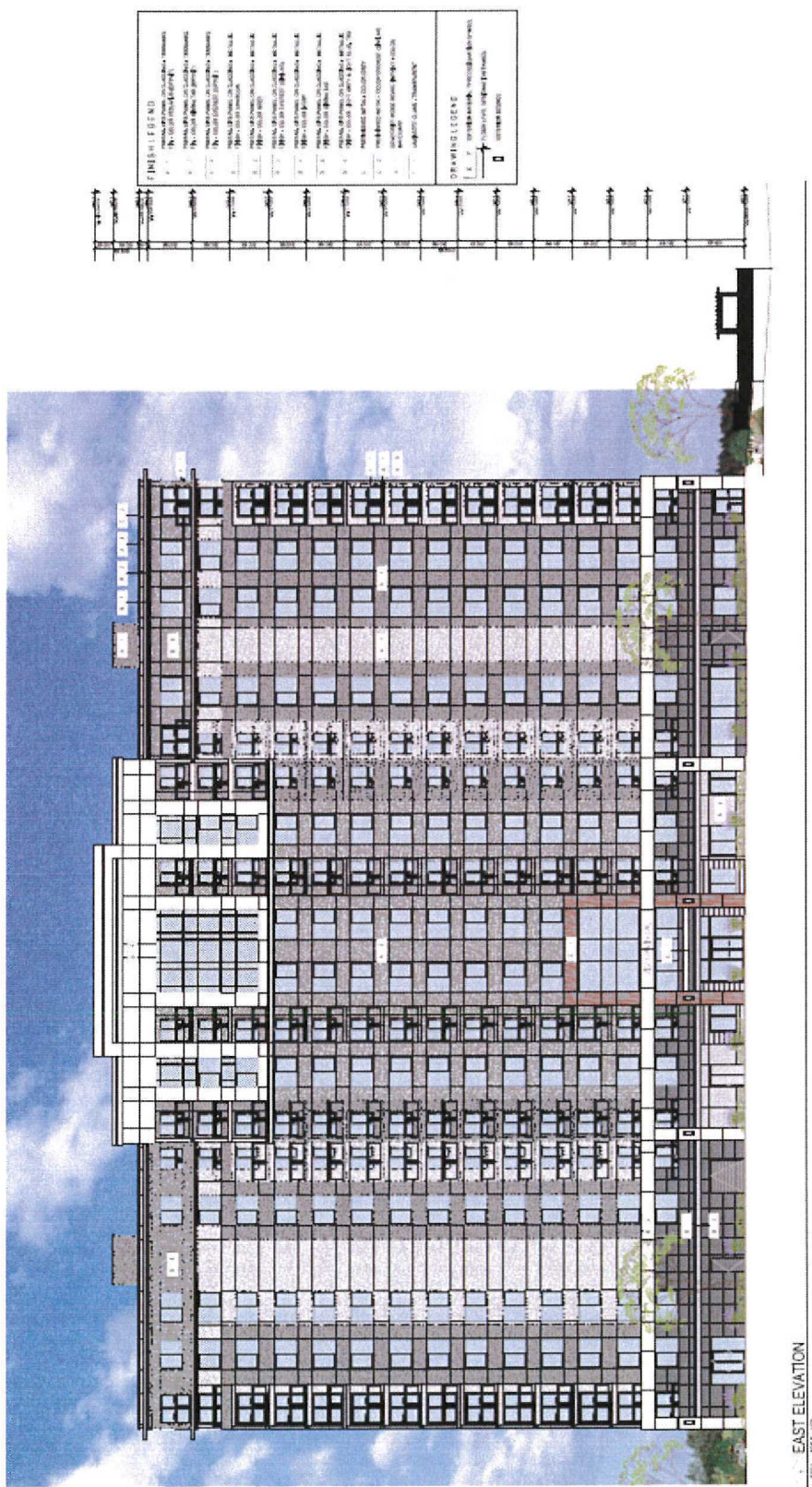
Location Map



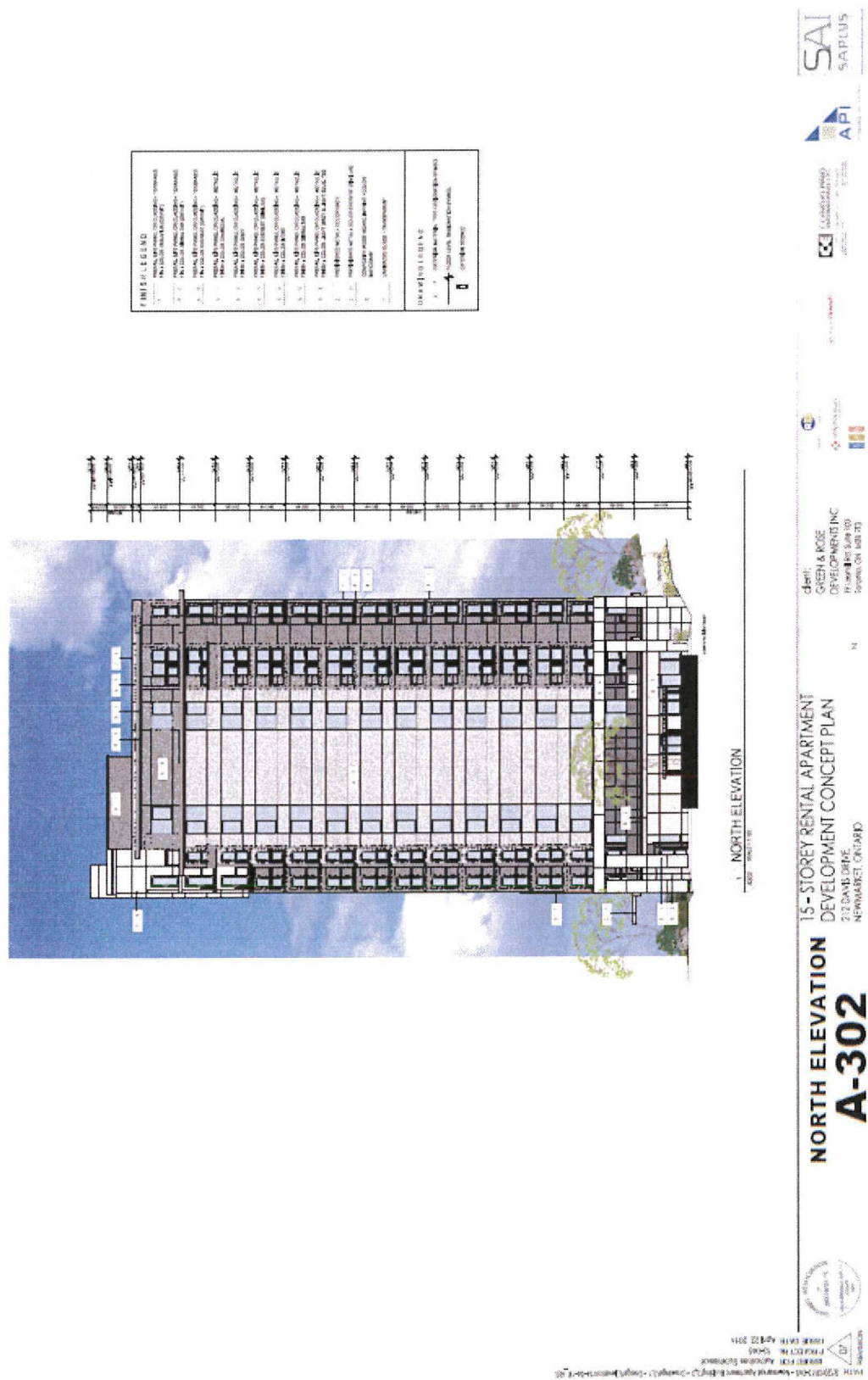
Streetscape and Landscape Plan



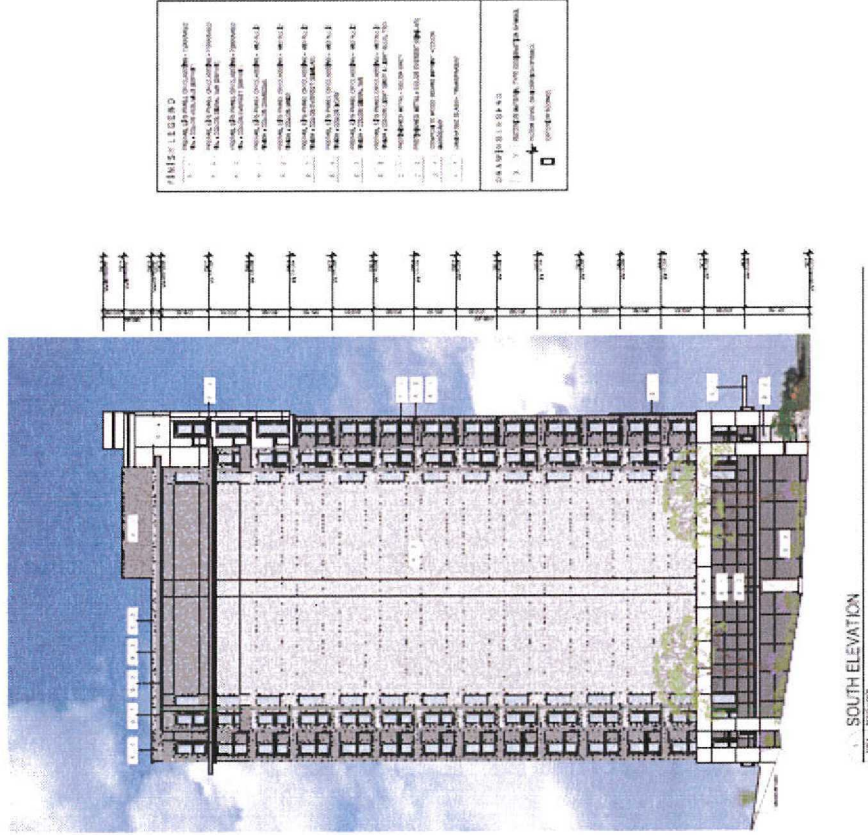
Elevation Plans



Elevation Plans



Elevation Plans



SOUTH ELEVATION
A-304
 15-STOREY RENTAL APARTMENT
 DEVELOPMENT CONCEPT PLAN
 217 DAVIS DRIVE,
 NEWMARKET, ONTARIO

client:
 GREEN & ROSE
 DEVELOPMENT INC.
 1000 DUNDAS STREET WEST
 TORONTO, ON M6H 1B5





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July 21, 2014

**JOINT DEVELOPMENT AND INFRASTRUCTURE SERVICES AND
 COMMUNITY SERVICES REPORT ES 2014-49**

TO: Committee of the Whole

SUBJECT: Leash-free Dog Park

ORIGIN: Commissioner, Development Infrastructure Services

RECOMMENDATIONS

THAT Joint Development and Infrastructure Services and Community Services Report ES 2014-49 dated July 21, 2014, entitled "Leash Free Dog Park" be received and the following recommendations be adopted:

1. THAT Staff be authorized to proceed with the construction of the proposed Leash-free Dog Park on the west side of Bayview Parkway south of the entrance to the Tom Taylor Trail in accordance with the design reviewed at the Public Information Centre conducted on June 26, 2014;
2. AND THAT the 2014 Capital Budget be increased from \$100,000 to \$170,000;
3. AND THAT that financing of \$70,000 be from Development Charges;
4. AND THAT that, pending the collection of sponsorship funds, interim financing of \$100,000 be advanced from reserves;
5. AND THAT the proposed sponsorship funding in the amount of \$100,000 as outlined in this report be accepted subject to the execution of the appropriate sponsorship agreements;
6. AND THAT staff be directed to provide a follow-up Information Report with respect to the proposed operating procedures which would be based on best practices from existing facilities in other jurisdictions, including a delineation of the responsibilities of the Town and the volunteer organizing Committee;
7. AND THAT staff be directed to report back to Council on revisions necessary to applicable by-laws, if any;
8. AND THAT Staff be directed to review the warrants for pedestrian crossing of Bayview Parkway at this location and report back to Council.

PURPOSE/BACKGROUND

This report is being provided to address the following recommendations, which were adopted from Development and Infrastructure Services Report 2013-47, dated November 12, 2013:

- a) THAT the Town of Newmarket support in principle the proposal to establish a leash-free dog park in George Richardson Park adjacent to the Tom Taylor Trail in the vicinity of Lock 3;
- b) AND THAT staff be directed to hold a Public Information Centre to gather community input on the proposal;
- c) AND THAT staff provide a report to Council outlining the community input received and making recommendations regarding the proposed location and final design of park improvements required and cost estimates for consideration by Council;
- d) AND THAT staff be directed to report back to Council on revisions necessary to the Parks Use By-law;
- e) AND THAT the Capital Budget include provisional funding of \$50,000 for this purpose with the final allocation to be considered by Council following the public consultation process and direction to staff with respect to community based fundraising;
- f) AND THAT the Operating Budget include an amount of \$10,000 for maintenance of the Leash-free Dog Park;
- g) AND THAT the project commence only after the Committee organization raises 80 percent of their \$50,000 target or half of the required capital.

Staff has been working with a group called "Newmarket Dogs" which includes a number of community volunteers, some of whom have strong landscape design experience and have actually designed leash-free dog parks for other municipalities. The group has completed the preliminary design of Newmarket's proposed leash-free dog park. The design has been reviewed by Town Staff and has been found to meet Newmarket's design and technical specifications.

Originally, the capital budget needed to construct the park was estimated at \$100,000. This amount was based on a preliminary rough design and on a \$50,000 contribution from the community. Since then, the volunteer group has been working with Staff in Community Services to reach their original fundraising target of \$50,000. However, commitments towards that target have exceeded by double the amount and Staff in Community Services has confirmed that sponsorship commitments have reached \$100,000.

Based on the success of the fundraising efforts, the design was enhanced to incorporate additional highly desirable elements, such as site furnishings for residents to enjoy while using the park and concreted areas where crushed limestone had previously been proposed. The concrete enhancement will have the added bonus of reducing the extent of maintenance required at the park.

The engineering estimate for the project has been re-calculated based on the more detailed design that incorporates the enhancements described above. The revised budget is now \$170,000, of which \$100,000 will be contributed by the community.

Staff presented the preliminary design on June 26, 2014 at a Public Information Centre (PIC) Open House held in the Council Chambers. The PIC was advertised Town-wide through the media and the Town's website.

Twenty-six (26) residents attended the PIC. In addition, Staff received comments from 2 residents who were not able to attend, but wanted to voice their opinion. In total, 18 recommendations/comments were provided through the PIC. In summary, 16 commenters were IN FAVOUR of the Leash-free Dog Park and its location and 2 were AGAINST the Dog Park.

The following provides details of the recommendations received:

- Wrong location- park is very populated with children, bikes, rollerbladers, skateboarders- safety risk – 2 comments received
- Too Small – 5 comments received
- Inadequate fencing proposed- 2 comments received
- Supervision should be required – 2 comments received
- Minimal parking- 2 comments received
- Include mesh in fencing along trail to reduce distractions by people on the trail – 2 comments received
- Solid fence should be installed that does not allow dogs to see people on the trail- 2 comments received
- Would a Pedestrian crosswalk on Bayview Parkway be warranted?- 1 comment received

Here are the actions that Staff can take to address some of the concerns expressed through the PIC:

Location: Staff will work with the consultant to include some material in the fence to create a visual barrier along the trail; this should limit outside distractions and also assist with the concerns regarding the location.

Parking: As indicated in Report 2013-47, dated October 22, 2013 and entitled "Leash-free Dog Park", there is a possibility that the amount of parking may not be sufficient to accommodate all of the users of the various amenities at this location, including the playing fields for soccer and baseball. In planning for this possibility, staff is exploring signage to encourage users to park at other locations along the Tom Taylor trail and walk to the leash-free dog park.

Site Supervision: Most leash-free dog parks do not have on-site supervisors. If Council wishes to pursue this, a request for additional funding would have to be made. It should be noted that under the Dog Owners Liability Act, all dogs in the park are still the responsibility of their owner. The owner of a dog is liable for damages resulting from a bite or attack by the dog on another person or domestic animal (R.S.O. 1990, c. D.16, s. 2 (1)), whether in a dog park or not. Many leash-free dog parks are managed by a user group that assists with maintenance and helps enforce user rules. In our current Animal Control provider's contract, there is no provision for monitoring in leash-free dog parks. However, the leash-free dog park could be identified as a patrol area for the animal control provider. Such issues will be further addressed in the follow-up Information Report by Staff.

Pedestrian Crossing: Staff will review the requirements for a Pedestrian Crossing and report back if a pedestrian crossing is warranted in this area.

Staff will complete an Information Report to Council recommending "Best Practice Operating Procedures" for the dog park. Staff will contact other municipalities who operate leash-free dog parks to tap into their experience and obtain their feedback and recommendations. Newmarket's operating procedures will be based on the best practices and feedback obtained.

CONSULTATION

The design of the dog park involved a great deal of consultation with internal departments, including Legislative Services, Legal Services, Public Works and Operations, as well as the general public through the PIC held on June 26, 2014.

Community Services and Recreation & Culture have provided information regarding the results of the community fundraising for the project.

Engineering has worked closely with the volunteer consultant (at no charge to the Town) to obtain the preliminary design. Staff has ensured that all design components meet the technical specifications of the Town. Staff will continue to work with the volunteer consultant to complete the detailed design and the tender documents. It is hoped that a contractor can be selected and construction can commence before the Fall to complete the park before year-end if Council recommends that we proceed with the project.

Public Works Services has reviewed the design and provided their comments, which were incorporated into the current design.

Legal Services was consulted in respect to the legal responsibilities and has recommended that the best practices of other municipalities be reviewed for the operation of the dog park.

By-Laws has been consulted regarding By-Law requirements.

Finance was also consulted for sources of funding.

HUMAN RESOURCE CONSIDERATIONS

Staffing levels are not impacted as a result of the recommendations in this report.

BUDGET IMPACT

Capital Budget

In order to complete the construction of the Leash-Free Dog Park, \$170,000 will be required. Staff is recommending that \$70,000 be financed from Development Charges (per the 2014 update), and pending the collection of sponsorship funds, interim financing of \$100,000 be advanced from reserves.

Operating Budget (Current and Future)

At the Special Committee of the Whole of June 24, 2013, Staff was asked to prepare a report to Council outlining the financial implications of operating an average sized leash-free dog park.

Assuming a grass-surfaced area of approximately half of an acre, Public Works had originally estimated operating costs to be approximately \$20,000 to \$25,000 per year. Services provided would include daily waste collection, grass maintenance (in line with the current service level), wood chip maintenance, inspections, fence repairs, general park maintenance (graffiti, furniture, etc.), snow removal and parking lot maintenance.

However, the maintenance budget approved by Council at its November 12, 2013 meeting was \$10,000 per year (Development and Infrastructure Services Report 2013-47, dated November 12, 2013). The true expected maintenance costs will become more evident when the detailed design is completed and best practices in other municipalities will be reviewed. The operating costs and services provided will be outlined in the follow-up "Best Practice Operating Procedures" Information Report.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

Living Well

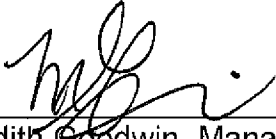
- Emphasis on active lifestyles and recreation opportunities
- Environmental protection and natural heritage preservation

Well Balanced

- Recreation facilities and services
- Green and open spaces, parks and playing fields

CONTACT

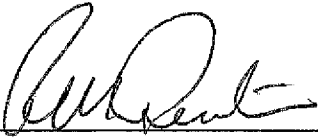
For more information on this report, please contact Rachel Prudhomme at 905-953-5300 extension 2501, or rprudhomme@newmarket.ca.



Meredith Goodwin, Manager,
Special Projects



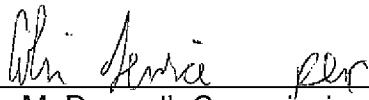
Rachel Prudhomme, M.Sc., P.Eng.
Director, Engineering Services



Robert Prentice, Commissioner,
Development and Infrastructure Services



Colin Service Director,
Recreation and Culture

A/  per

Ian McDougall, Commissioner,
Community Services



PLANNING AND BUILDING SERVICES

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July 21, 2014

DEVELOPMENT AND INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES – PLANNING REPORT 2014-33

TO: Committee of the Whole

SUBJECT: Proposed Zoning By-law Amendment
 345-351 Davis Drive
 1738357 Ontario Limited
 File No: D 14-NP-13-29

ORIGIN: Application Submitted to the Planning Department

RECOMMENDATIONS

THAT Development and Infrastructure Services/Planning & Building Services - Planning Report 2014-33 dated July 21, 2014 regarding Proposed Zoning By-law Amendment Application D 14-NP-13-29 be received and that the following recommendations be adopted:

1. THAT the application for a Zoning By-law Amendment submitted by 1738357 Ontario Limited for lands municipally know as 345-351 Davis Drive be referred to a public meeting;
2. AND THAT following the public, the issues identified, together with comments from the public, Committee and those received through the agency and departmental circulation of the application, be addressed by staff in a comprehensive report to the Committee of the Whole, if required;
3. AND THAT Andrew Fernacik, Walker, Nott, Dragicevic Assoc. Limited, 90 Eglinton Avenue East, Suite 970, Toronto, Ontario, M4P 2Y3, be notified of this action.

COMMENTS

1. Purpose of the Report

The purpose of this report is to recommend that the above noted application for a Zoning By-law Amendment to permit a 40 unit stacked townhouse development at 345-351 Davis Drive be referred to a public meeting.

2. Location and Surrounding Land Use

The subject property is located on the north side of Davis Drive, approximately mid-distance between Vincent Street (east) and Hillview Drive (west) and is municipally known as 345 and 351 Davis Drive. The property has an area of 0.32 ha (0.79 acres), a frontage on Davis Drive of 44.09 m (144.65 ft.) and a depth of 69.78 m (228.93 ft.). The property is municipally known as 345 Davis Drive is currently vacant. There is an existing vacant house on 351 Davis Drive.

The surrounding land uses are:

- East: A commercial use (Toast Tai Chi Centre) and a combination of Commercial and residential uses fronting on Vincent Street.
- North: The rear yards of the residential neighbourhood fronting on Amelia Street
- West: A place of worship and a mix of residential and commercial uses
- South: A commercial strip mall use.

See attached **Location Map**.

3. Proposal

1738357 Ontario Limited has submitted an application for a Zoning By-law Amendment to permit two stacked Townhouse developments for a total of 40 units and having a gross floor area of 3,982.6 m² and a density of 1.35 FSI. The maximum height proposed is 13.7 m (3 storeys). Underground parking is proposed. A unit mix of four 1-bedroom plus den, thirty-two 2-bedroom units and four 3-bedroom units is proposed.

The Zoning By-law Application proposes to increase the density, reduce the frontage requirements and reduce the side yard setback requirements from what is currently required by the zoning by-law.

Access is proposed onto Davis Drive at the easterly side of the property. This access would be a right-in and right-out access.

See Detailed Plan. The complete set of plans and supporting documents filed in support of this application can be viewed through the following link to the Town's web site:

<http://www.newmarket.ca/en/townhall/plannotic.asp#345-351DavisDrive>

4. Related Applications

a) Site Plan Application D11 NP 13 29

Concurrent with the filing of the Zoning By-law Application, a Site Plan Application has been filed. Once the Zoning By-law application is advanced to the appropriate stage, the Site Plan application will be processed.

5. Preliminary Review

a) Newmarket Official Plan Considerations

The subject property is designated Urban Centre and is identified within the Yonge Street Regional Centre area. The Urban Centre designation permits a broad range of residential, commercial, office and institutional uses. Densities for residential uses are established in Section 4.4 as follows:

- a residential density of 30-125 units per net hectare;
- a maximum Floor Space Index (FSI) of 1.0 in Phase 1 (prior to the preparation of the Urban Centres Secondary Plan); and greater than 1.0 through appropriate studies;
- a target of approximately 60-250 persons and jobs per hectare in Phase 1 (Section 4.4 - Table 1).

Section 4.4.3 provides that increased densities from those identified above may be permitted through a zoning by-law amendment, provided supporting studies are submitted that demonstrate that the proposed development will not create an unacceptable level of traffic, will be compatible with the existing surrounding development and in conformity with the intent of the applicable provisions of the Official Plan.

This application has provided the requisite studies (subject to the comments below) to support an increase in density in accordance with the above provisions.

The general policies of the Urban Centres also directs that:

- provide for a transition with Stable Residential Areas (Policy 4.2.2 b)
- a safe pedestrian environment be provided (Policy 4.2.2 c)
- provide good access and circulation (Policy 4.2.2 d)
- a high quality of urban design (Policy 4.2.3)
- provide maximum pedestrian, bicycle, vehicular connectivity and route choices (Policy 4.2.4).

In addition, there are a number of other Official Plan policies that apply to the consideration of the form and function of the proposed zoning-by-law amendment application, including:

- Section 3.10.2 - Affordable Housing;
- Section 12.0 - Urban Design and Compatibility Policies (including but not limited to urban design principles, vehicular and pedestrian connectivity, common areas, safety, sustainability in design, transit amenities, and urban centre character);
- Section 16.1.6 Recreational needs and park dedication; and

- Section 15.0, Transportation Network which includes accessibility and streetscaping.

The above is not meant to be an exhaustive list of the provisions of the Official Plan, but aims to illustrate several of the main considerations.

b) Region of York Official Plan

The subject property is designated "Urban Area" in the Region of York Official Plan. Several Regional policies apply and will be identified in part through Regional comments.

c) Growth Plan for the Greater Golden Horseshoe(Growth Plan)

The Growth Plan for the Greater Golden Horseshoe does not specifically designate the subject lands as they are outside the Provincial Urban Growth Centre, however, the general intensification policies apply. The Town's Official Plan is in conformity with the Growth Plan and provides for intensification as addressed above. The recently adopted Secondary Plan addresses the intensification policies of the Growth Plan and the Regional Plan in detail.

d) The Big Move - Regional Transportation Plan

The subject property is located on the Rapid Transit way along Davis Drive and is between two mobility hubs identified at the GO-train station and at the Yonge Davis Provincial Urban Growth Centre. The proposed development proposes additional density to sustain the investment in rapid transit and is within walking distance of the GO-Train station Gateway Hub.

e) Provincial Policy Statement (2014)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Decisions affecting planning matters "shall be consistent" with the PPS. The proposed Zoning By-law Amendment is impacted by a number of provisions including Section 1.1 Managing and Directing Land Use to Achieve Efficient Development and Land Use Patterns, Section 1.4 Housing, Section 2.2 Water with respect to protecting the quality and quantity of municipal drinking water and Section 1.8 Energy and Air Quality with respect to promotion of alternative and renewable energy. Subject to the issues below, consistency with the PPS is expected to be achievable.

f) Official Plan Amendment 10 - Newmarket Urban Centres Secondary Plan (Secondary Plan) - Adopted June 23, 2014

Through the consideration of this application, regard should be had to the policies of the Secondary Plan, including but not limited to, the density and height policies, Affordable Housing (Policy 6.4.3), Urban Design and Sustainability (Policy 7.0), Block Structure and Street Network (Policy 8.0), Transportation and Mobility(Policy 9.0), Parks, Open Space and Natural Heritage (Policy 10.0), and Servicing including underground hydro facilities (Policy 13.0).

The subject property is within the Low Density designation on Schedule 4: Height and Density. The height of the proposed Townhomes is 13.7 m (3 storeys), while the proposed density is 1.35 FSI. The proposed height and density are within the range that is identified for the Low Density designation in the Secondary Plan.

A private Road/Lane is identified between Vincent Street and Hillview Drive. This connectivity has not been considered by the current proposed application.

The list of additional policies of the Secondary Plan identified above will also be considered in the assessment of this application.

g) Official Plan Amendment 11 - Newmarket's Active Transportation Network - Adopted June 23, 2014

Through the consideration of this application, regard should be had to the policies and Schedules of OPA # 11, the Active Transportation Network.

Davis Drive is identified as a Primary Active Transportation Network within the Right-of-Way in conformity with the Regional Cycling Network in the Regional Official Plan (Map 10) and the Town's Official Plan (Schedule D On-Street Bike Lane Plan). However, the provision for a cycling facility and widened sidewalks on Davis Drive cannot be achieved within the current regional right-of-way. The additional land required to provide the necessary space to accommodate the cycling facility and wider sidewalks at the ground level is proposed to be secured through the provision for additional land along the Davis Drive right-of-way for the future burying of the Hydro services provided for through the Town's Secondary Plan. Therefore, the zoning application will need to consider and address the required setbacks from Davis Drive to ensure there is sufficient space for the future burying of the hydro and associated utilities and the associated surface considerations e.g., wider sidewalks and cycling facility. The dedication of the land and/ or an easement for the additional land should form part of the agreement with the applicant.

6 Comments Received (July 9, 2014)

Region of York – Review under Consideration.

Newmarket Engineering Services – Engineering Services has provided the following comments.

The surface and underground driveways, ramps and parking areas appear to be designed appropriately subject to a number of safety and drainage considerations.

There are no elevators proposed and the underground ramp slopes do not allow for accessibility.

The intercom is outdoors and situated on a 6.2% slope. It is suggested that the intercom be in the covered portion of the ramp to provide weather protection and that the slope around the intercom be reduced if possible.

Traffic Impact Study (prepared by LEA Consulting Ltd., dated December 16, 2013).

- 1) Comments relating to the driveway access are deferred to York Region Transportation as Davis Drive is a Regional road.
- 2) Future Background Traffic Conditions - The report undertook this part of the exercise in a conventional sense. York Region / vivaNext undertook an Environmental Assessment (EA) which contained a traffic impact/transportation review component. Any discrepancies between the future background volumes in this report should be similar to the results of the EA, and be confirmed.

Site Servicing

- 1) Water Supply - The functional servicing report indicates that the development will be serviced from a 200mm watermain connected to the existing watermain on Davis Drive. A hydrant flow test should be conducted to confirm that the existing pressure is sufficient to meet domestic and fire flow demands. As noted in the Town of Newmarket Engineering Design Manual section D1.03 the fire flow requirement for townhouses is 10,000 L/min.
- 2) Sanitary Sewer – The proposed development will be serviced by a 150mm connection to a manhole located on property line. It is requested that the FSR be expanded to include comment on the capacity of the receiving sewer on Davis Drive.
- 3) Stormwater Management – The stormwater quantity control for the development will be provided by means of roof top and underground storage in the form of box culverts. Stormwater quality control will be provided by an oil grit separator designed to remove a minimum of 80% TSS. The above stormwater management concept is acceptable however as the site is located within a regulated area, LSRCA should be circulated for comment.
- 4) It appears from the survey that a portion of 333 Davis Drive (Bethel Church) drains toward the subject site. Comment is requested regarding the exclusion of this area from the pre-development stormwater drainage area.
- 5) As noted in the Geotechnical Investigation Report the adjacent property located at 355 Davis Drive has previously experienced an artesian condition which is also likely to affect the subject property. If the water table will be permanently lowered below the proposed underground structure a Hydrogeological study may be recommended and include discussion of impacts to adjacent properties.
- 6) The Town of Newmarket standards or OPS specifications should be cited. A separate detail sheet is required.

Functional Servicing Report

- 1) Clarify the calculation of catchment area 0.18ha as the summary table indicates the total area is 2508m² excluding 215m² of roof area.
- 2) Section 4.2.4 indicates side swales are to be provided. The detail on drawing L2 should be revised accordingly.

- 3) Figures 2 and 3 indicate an "R" value of 0.25 for grassed area and Table 2 and 3 indicates a value of 0.20, this discrepancy is required to be addressed.
- 4) Comment is requested regarding the basis of a runoff coefficient of 0.55 for pervious paved areas.
- 5) It is recommended that runoff coefficients be revised as per Table 1.07 of the MTO Drainage Management Manual.

Site Grading

- 1) The proposed grading for the subject site generally matches existing grades at the property limits to the east, west, and north and matches proposed grades for the vivaNext project on Davis Drive. It is suggested that a defined swale or similar be provided along the west limit of the site and a detail provided.
- 2) Retaining wall details will need to be provided as part of next site plan submission.
- 3) The applicant is requested to demonstrate that the overland flow route will not have an impact on the adjacent residential properties to the north particularly in the event the area drains become plugged.
- 4) As the proposed construction is close to the east and west property lines comment is requested on impacts to adjacent properties.

Environmental Review

- 1) A Phase One Environmental Site Assessment (ESA) was completed by Pinchin Environmental Limited in December 2013 in accordance with the procedures set out in CSA Standard Z768-01 Pinchin has concluded "nothing was identified that is likely to result in potential subsurface impacts at the site. As such, no subsurface investigation is recommended at this time". It should be noted that Pinchin has advised a response from the MOE has not yet been received. Pinchin is requested to provide an update on their request for response from MOE with the next submission.

We require that the Phase 1 ESA be signed and sealed and included.

Landscape Review

- 1) Landscaping comments to be provided by our Capital Projects Parks Development Coordinator under separate cover.

Sediment and Erosion Control

- 1) The proposed sediment and erosion control measures are generally acceptable. A separate sediment and erosion control drawing will be required with applicable details and notes. The specified silt fence detail should be replaced with the Town of Newmarket standard detail.

Estimated Cost of External Work

The proponent is required to provide separate detailed cost estimates for all work exterior to the building and landscaping to the Engineering Services Department. The cost estimates will enable us to conclude our comments with respect to the proposed Site Plan Agreement.

Construction Management Plan

The property owner is required to provide a Construction Management Plan (CMP) highlighting various aspects of concern that may arise throughout construction and proposed mitigating measures, which shall be incorporated during construction to ensure a safe and successful project. The plan, once deemed acceptable by the Director of Engineer Services shall be kept and maintained onsite by the contractor. The information contained in the report shall include:

- 1) Construction schedule
- 2) Working hours during construction
- 3) Noise during construction
- 4) Construction access and deliveries
- 5) Material storage
- 6) Construction staff parking
- 7) Dust control.

Composite Utility Plan

The applicant shall submit an overall composite utility plan signed by each utility representative. The composite utility plan should be provided as early as possible.

General Comments

- 1) The applicant is requested to provide specifics regarding construction along the west property line as it relates to the proposed setback of 0.45m.
- 2) Similar to the above, the applicant is requested to provide specifics relating to future maintenance activities along the west property line.

Newmarket Building Services – have no concerns with the Zoning Bylaw Amendment Application. However, the following issues will need to be addressed prior to consideration of the Building Permit:

- due to concerns identified in the Geotechnical Investigation with a high water table and artesian conditions on a neighbouring site, a more in-depth hydrogeological study to be carried out with specific recommendations on the design and measures to deal with hydrostatic pressure during construction and post occupancy.
- The new Building Code provisions will need to be addressed (2014 and provisions to come into effect in January 2015).

Lake Simcoe Region Conservation Authority - The Conservation Authority raise a number of concerns including:

- A water balance and phosphorous loading budget is required.
- The design should accurately address the final design for Davis Drive (YRRTC).
- Low Impact Development (LID) stormwater management strategies are encouraged on site.
- Ensure drainage is contained on site.
- Rationalize any discrepancies with respect to runoff coefficients.
- Demonstrate how the 100 year storm runoff coefficient was determined.
- Grading of the driveway should be undertaken to reduce drainage into the underground parking structure.

Central York Fire Services - CYFS has no objection to the application to amend the zoning by-law subject to the following:

- demonstration that the turn-around facilities will accommodate the expected loads for emergency vehicles;
- underground parking floor area size does not appear to be correct; and
- Confirm the gross floor area for Blocks 1 and 2.

Aiolos Engineering Corporation (Noise Peer Reviewer on behalf of the Town) –

- A detailed noise assessment is required (current assessment is considered a feasibility study only).
- The determination of noise levels from adjacent sources including Davis Drive and the conclusion that no physical barriers are required, is acceptable.
- The recommendation that the day-time noise level exceedances from Davis Drive traffic be addressed through central air conditioning and appropriate warning clauses in the appropriate agreement with tenants is acceptable.
- The following two issues are required to be addressed:
 - Whether the adjacent church to the west has roof-top units that could contribute to noise

York Region District School Board - no objections.

Hydro One – no comments or concerns at this time.

Enbridge - all costs of relocation services and/or easements will be responsibility of the applicant.

Bell - the applicant is required to confirm that the communication/telecommunication infrastructure is proposed both to and within the proposed apartment to serve the residents and to deliver emergency management services; and indicates that the cost of connection to such services will be at the developer's expense.

Canada Post - The owner/developer will consult with Canada Post to determine suitable locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.

In addition, Canada Post also requests a number of conditions related to the site plan applications including:

- that the prospective home purchaser be advised that mail delivery will be from a designated Community Mailbox;
- a Community Mailbox be constructed on a concrete base pad per Canada Post specifications;
walk-way access to the mailboxes, including wheelchair access per municipal standards.

7. Preliminary Issues

The following preliminary issues address matters that are of a design and/or are of a technical basis that may impact the location of the proposed building and therefore the provisions of the proposed Zoning By-law Amendment.

1. Parks and Open Space - Has the application adequately addressed Parks and Open Space, including Urban Squares?
2. Internal Vehicular Flow - Is the internal vehicular flow and access at Davis Drive appropriate to meet the Town and the Regional requirements, including connectivity, private street/lane fine grain grid (to east and/or to the west), Mobility Plus vehicles, Emergency Services, moving and garbage pick-up, etc.?
3. Underground Hydro Facilities - Has the application made appropriate provision for the future burying of hydro and associated utilities and companion benefitting surface facilities e.g., wider sidewalks and cycling facilities on Davis Drive?
4. Grading - Is the proposed grading appropriate to ensure that there is appropriate grading transitions to the adjacent properties and Davis Drive and well as internal to the site and in particular to the underground parking?
5. Geotechnical Issues – Has the application adequately address the geotechnical issues related to high water table and potential artesian regime?
6. Stormwater Management - Has the Stormwater Management Plan adequately addressed the provisions of the Conservation Authority, Regional and Town requirement including but not limited to Low Impact Development and other measures aimed at increasing infiltration, improving water quality and quantity, reducing flooding and connection to the appropriate stormwater receptor?
7. Regulated area Under the Jurisdiction of the Conservation Authority - Has the application adequately addressed the requirements of the Conservation Authority?
8. Urban Design and Sustainability - Have the applicable Urban Design and Sustainability considerations as set out in the Secondary Plan been given appropriate consideration, e.g., shadow impacts, outdoor amenity space, streetscapes and boulevards, energy and water conservation, etc.?
9. Affordable Housing - Has the requirements of the Regional Plan and the provisions of the Secondary Plan been appropriately address with respect to affordable housing?
10. Servicing - Has the servicing of the site been adequately addressed?

The above issues will be address in conjunction with the outstanding comments and the public input following the statutory public meeting.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

Well-planned and Connected

- furthering the provisions of the Official Plan

Well-equipped & Managed

- provides for varied housing types, affordability and densities

Living well by:

- implementing traffic and growth management strategies

CONSULTATION

Consultation has been carried out with Internal and external agencies as addressed above. The recommendation of this report refers the application to a statutory public meeting as required by the *Planning Act*.

HUMAN RESOURCE CONSIDERATIONS

None applicable to this report.

BUDGET IMPACT

The Town will receive the planning application and development charges fees following the 36 month deferral and will receive increased tax revenue.

No Capital budget implications are anticipate.

CONTACT

For more information on this report, contact Marion Plaunt, Senior Planner, Policy at 905 953-5300 Ext. 2459 or at mplaunt@newmarket.ca.



Marion Plaunt, MES, MCIP, RPP
Senior Planner – Policy
Planning & Building Services



Jason Unger, B.E.S., M.PI, MCIP, RPP
Assistant Director of Planning
Planning & Building Services

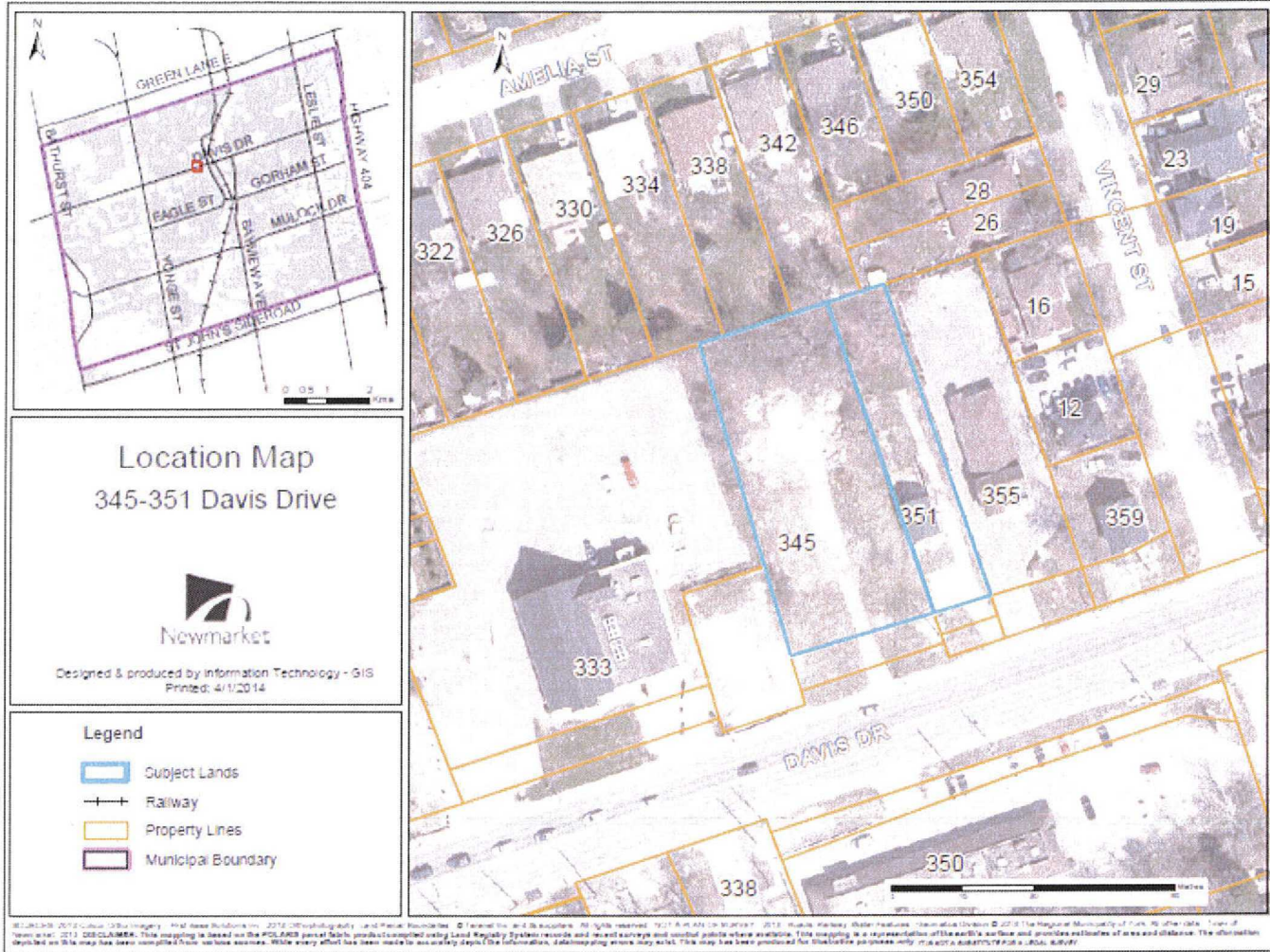


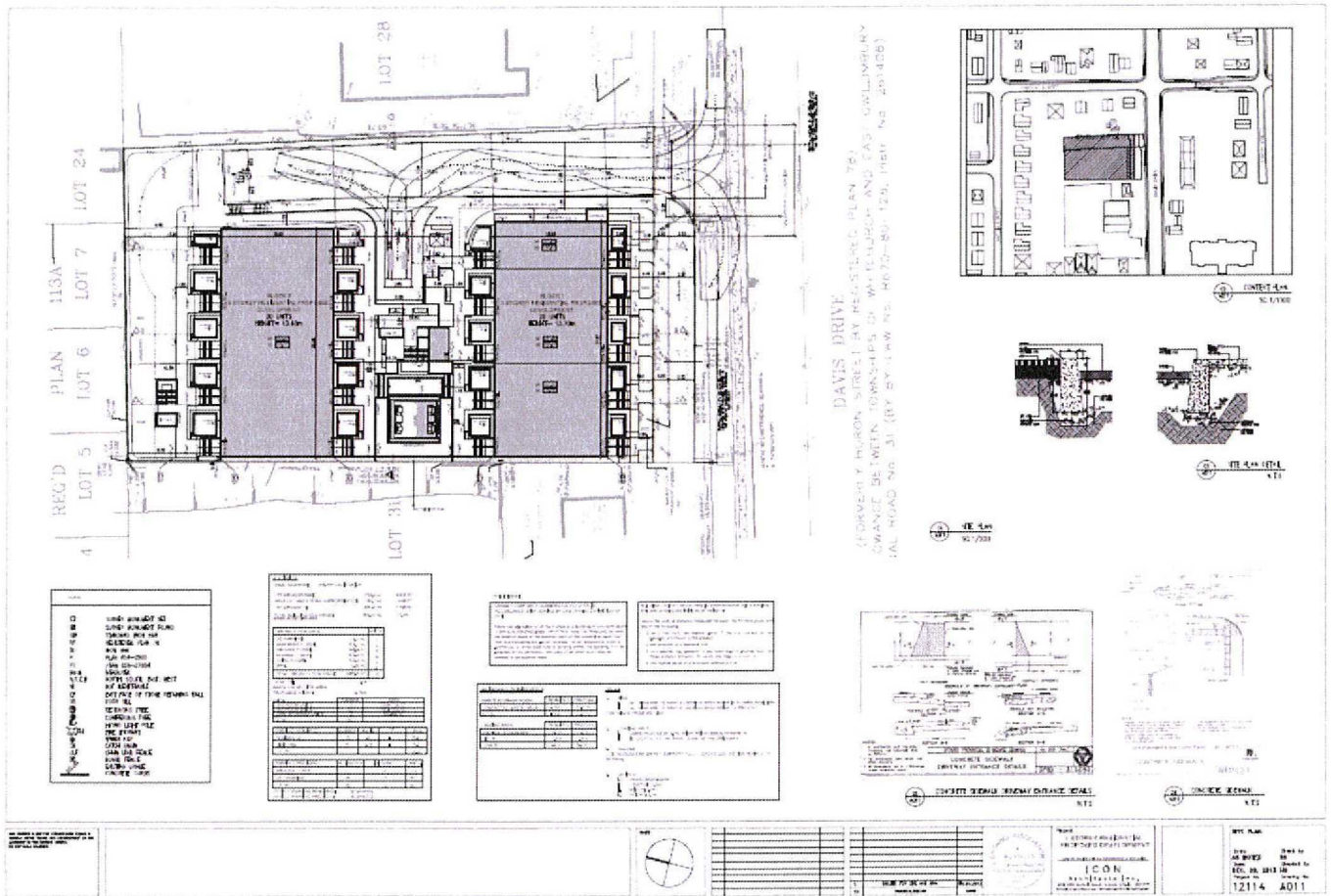

Richard Nethery, B.E.S., MCIP, RPP
Director of Planning & Building Services

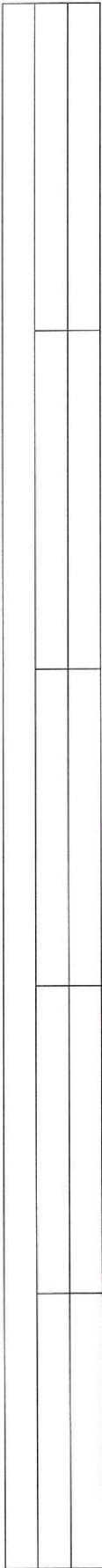


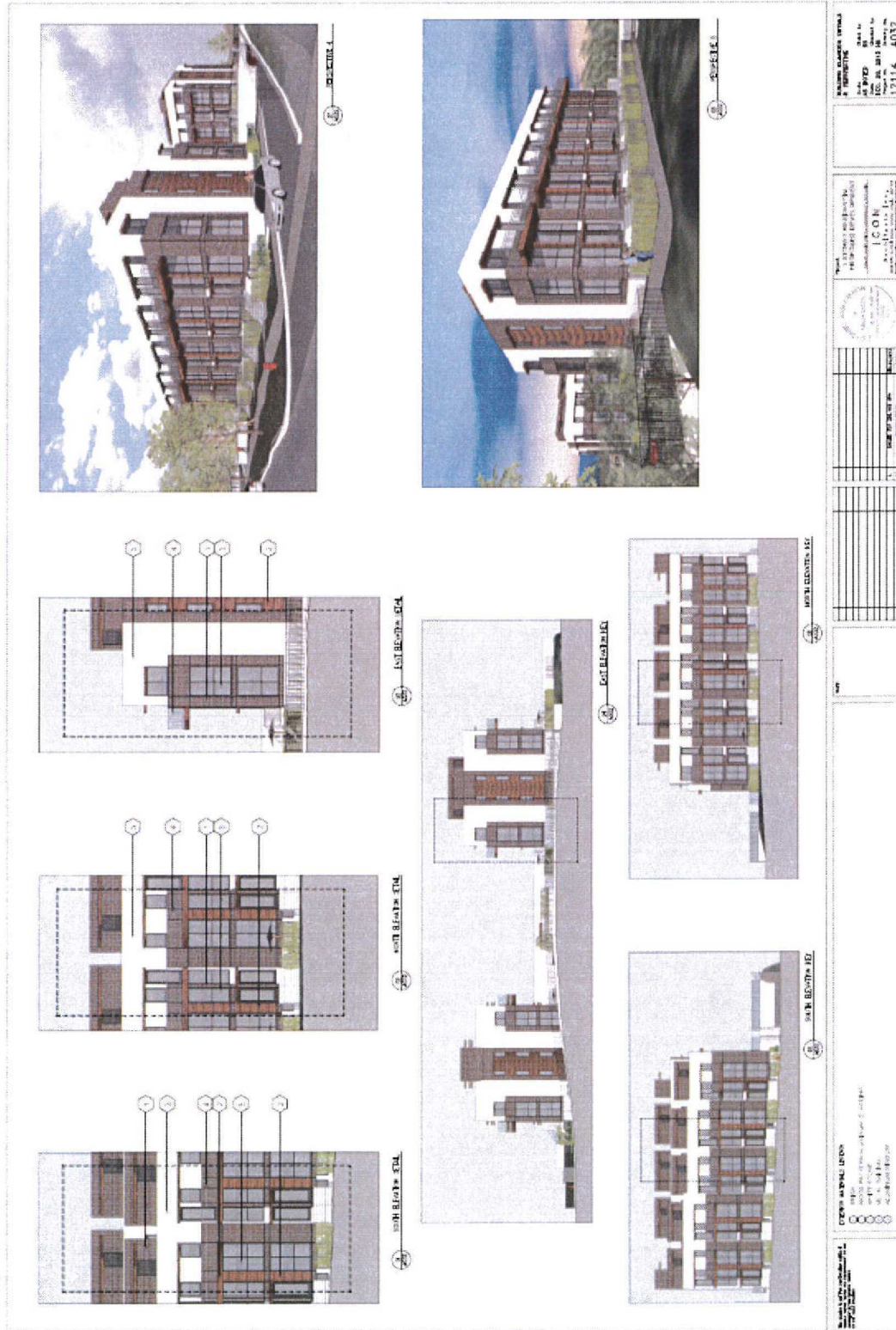
Rob Prentice
Commissioner
Development and Infrastructure Services

Location Map









July 10, 2014

**DEVELOPMENT AND INFRASTRUCTURE SERVICES
PLANNING AND BUILDING SERVICES - PLANNING REPORT 2014-34**

TO: Committee of the Whole

SUBJECT: Application for Official Plan and Zoning By-law Amendments
Proposed Medical Development
Mulock Canada Med Inc.
536 & 550 Mulock Court
File No.: D9-NP1302; D14-NP1302

ORIGIN: Application Submitted to the Planning Department

RECOMMENDATIONS

- a) THAT Development and Infrastructure Services/Planning & Building Services Report 2014-34 dated July 10, 2014 regarding applications for Official Plan and Zoning By-law Amendments be received and the following recommendations be adopted:
- i. THAT the application for Official Plan and Zoning By-law Amendments, as submitted by Mulock Canada Med Inc. for lands located at 536 & 550 Mulock Court, be denied;
 - ii. AND THAT Mulock Canada Med Inc., 11 Whitfield Court, Aurora, ON L4G 5L8, be notified of this action;
 - iii. AND THAT iPLANcorp, c/o Bart Ryan, 189 Beechwood Crescent, Newmarket, ON L3Y 1W2 be notified of this action.

BACKGROUND

Location

The subject land consists of two properties and is located on the south side of Mulock Court, at the north-east corner of Mulock Drive and Bayview Avenue, being Part of Lot 30, Concession 2, former Township of Whitchurch, and Part Lot 1 Plan 521 (see location map attached). There are currently two single detached dwellings; one on each property.

Proposal

Applications have been submitted for Official Plan and Zoning By-law Amendments. The applicant is proposing to redesignate and rezone the subject lands from the existing Stable Residential designation and Residential Detached Dwelling 30m (R1-C) Zone to the Commercial designation and a Retail Commercial Two (CR-2) Zone to permit a 3,048m² commercial/medical building on the properties. The applicant is also requesting site specific zone standards based on the proposed development. Should the Official Plan amendment and rezoning be approved the land owner would apply for Site Plan Approval to finalize the details of the redevelopment.

Site Description

The subject lands have an area of approximately 0.45 hectares, and a lot frontage on Mulock Court of approximately 91 metres. The subject lands, 536 & 550 Mulock Court, each contain an existing single detached dwelling.

The surrounding land uses are:

North: residential properties, across Mulock Court

South: commercial uses across, Mulock Drive

East: residential property

West: commercial uses across, Bayview Avenue

ANALYSIS

Provincial Policy Statement

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Decisions affecting planning matters "shall be consistent" with the PPS. The PPS is intended to be read in its entirety and the relevant policies are to be applied to each situation.

Section 1.1 of the 2005 PPS relates to managing and directing land use to achieve efficient development and land use patterns, accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open space uses to meet long-term needs, and ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs. The proposed development would provide a broader diversity in land uses and would utilize the existing infrastructure that is currently in place.

The application for a medical/commercial development is consistent with the 2005 Provincial Policy Statement.

Since this application has been submitted a new PPS (2014) has been released. The 2014 PPS still requires Settlement Areas to have a mix of land uses and densities which promote efficient land use and resources. In addition to the policies which have been carried forward from the 2005 PPS the policies now also promote the use of active transportation, transit and transit supportive development. It recognizes the requirement of additional elements of healthy communities such as, community design and planning for all ages.

Staff note that the PPS is a high level document; it does not specifically address local matters of compatibility and appropriateness.

Region Official Plan

Newmarket is designated as an Urban Area with a Regional Centre and Regional Corridors in the Region's Official Plan. The area subject to this application is in the Urban Area. The Regional Official Plan does not have any specific policies regarding Urban Areas, the local Official Plans are relied on to set policies for these areas.

Official Plan Considerations

The subject lands are designated Stable Residential by the Official Plan. The objectives of the Stable Residential designation are to "sustain and enhance the character and identity of existing residential communities" and to "encourage the preservation and maintenance of the Town's existing housing stock, supplemented by various forms of residential intensification such as infilling and the creation of accessory dwelling units" (Sections 3.2.1 a. and b.).

The Stable Residential designation permits low density housing such as single and semi-detached dwellings. Other permitted uses include home occupations, accessory dwelling units, convenience commercial uses, and institutional uses such as schools. The proposed medical and commercial uses contemplated by the proposal are not permitted. Therefore an Official Plan amendment has been requested. The applicant has proposed the Commercial designation. The objectives of the Commercial designation are to accommodate retail and service commercial uses which would not be appropriate for the Urban Centre designations and ensure that a broad range of commercial opportunities are provided for residents (Section 5.1). If adopted by the Town, the Official Plan amendment will require Regional approval.

Section 3.0 of the OP speaks to "protect[ing] the stability of the Stable Residential Area and ensur[ing] that new development is compatible with the existing character of the neighbourhood." It also states that "the focus of future intensification is directed by this plan primarily to the Urban Centres. Limited intensification is permitted in Stable and Emerging Residential Areas in a form and location that will maintain the residential character and amenities" (Section 3.0, para 4).

The Official Plan directs health related commercial and general commercial uses to the Urban Centres designation with particular focus on medical facilities in the Regional Health Centre designation. Objectives of the Urban Centres designation include:

- “Promote[ing] and maintain[ing] the Town as a major government, administrative, health commercial and regional service centre in York Region;
- Provide[ing] for a wide range of commercial uses and employment opportunities to meet the needs of Town residents; and
- Ensure[ing] that the Regional Healthcare Centre provides the opportunity for adequate health and medical facilities to meet the evolving needs of residents of all ages and physical capabilities.” (Sections 4.1, a, b, and f)

Section 4.3.3 outlines the Regional Healthcare Centre policies and states that “it is anticipated that new facilities and expansion to the hospital will result in greater direct employment in the hospital and the development of supporting and ancillary medical facilities in the area. This plan supports the growth and development of the Regional Healthcare Centres as a major employment area, providing for the area’s development while ensuring that changes to the surrounding residential communities will be managed appropriately”. The policies also state that: “in order to accommodate the growth of additional medical and medical-related uses in the Regional Healthcare Centre, three sub designations are established by this Plan: Core Hospital Area; Complementary Use Area and Transition Area.” Furthermore “it is anticipated that the Complementary Use Area will be the primary location for other public or private uses related to or supporting the operation of the hospital” (Section 4.3.3.2). Medical related facilities and offices are permitted in all of the Urban Centres designations with particular focus on the Regional Healthcare Centre.

It is staff’s opinion that the proposed use is in conflict with the intent of the Official Plan to maintain and protect the residential character of the Stable Residential areas and to direct medical office uses (other than home occupations) of this nature to other areas of Town.

Multiple sections of the Official Plan (Sections 3 and 15) demonstrate through various policies that it is the intent of the Plan to protect existing residential stable areas and allow redevelopment that maintains the residential character. It is staff’s opinion that the proposed development will introduce an intensive non-residential use into a stable residential neighbourhood and will not maintain the residential character.

Section 15 of the OP sets out policies with regard to the Town’s Transportation Network. Specifically, Section 15.2.3.b states that “The road pattern in the Town is based on the following principles: the local residential neighbourhoods shall be protected by discouraging the flow of non-residential and through traffic and encouraging safe and convenient internal pedestrian movement.” Section 15.2.3.j states that “residential streets should not carry commercial traffic except for traffic directly serving the neighbourhood”. The main connection to the site will be from the residential street. Due to the size and grading of the site, and proximity to the intersection of Bayview Avenue and Mulock Drive, there does not appear to be any feasible opportunities where access to the site would only be from Regional roads.

It is noted that the other three corners of the Bayview/Mullock Drive intersection have been developed as commercial plazas and their only accesses are from one or both Regional roads. The traffic to and from those commercial properties is contained and does not infiltrate directly into residential areas.

The Town, representatives of the neighbourhood, and the applicant met to discuss concerns heard at the Public Meeting. At that meeting, representatives of the neighbourhood stated that if redevelopment were to occur that they would prefer to see the subject properties redeveloped with townhouses. Based on the intent and policies of the OP, staff are of the opinion that a residential use would be a more appropriate use for the subject properties. Under the current designation, Stable Residential, single detached or semi-detached dwellings are permitted. Staff could foresee a higher density residential use (perhaps townhouses, stacked townhouses, quadruplexes, or three-storey walk-ups etc), all of which would have less traffic impact than the proposed commercial use, as a suitable alternative redevelopment of the property.

Under the residential designations (both Stable and Emerging) local institutional, bed and breakfasts, and convenience commercial uses are permitted, with some limitations. Specifically, convenience commercial uses in a residential designation may include small retail stores, service commercial uses and business and professional offices. There is a total maximum gross leasable commercial floor area of approximately 850m² for a multiple unit building, with no one use larger than approximately 375m². Section 3.8 of the OP further outlines the restrictions around convenience commercial uses in a residential designation. It may be possible to redevelop the site with a more local commercial use (still in the residential designation) which would serve the immediate neighbourhood and have a smaller traffic impact than the proposed 3048m² three-storey medical office building. It appears the site is large enough to buffer a local convenience commercial use (through landscaping and setbacks) from the immediate residential uses. A local commercial use would encourage the neighbourhood to walk to the property and therefore the traffic impact would be less than the proposed medical building which draws patients from all over the region.

Zoning By-law Considerations

The subject lands are currently zoned Residential Detached Dwelling 30m (R1-C) by Zoning By-law 2010-40. The applicant is proposing to rezone the subject lands to the Retail Commercial Two (CR-2) Zone with site specific provisions which will reflect the proposed built form. The applicant has requested changes to the yard setbacks, parking lot setbacks, landscaped buffers, and a reduced parking standard from 121 spaces to 105 spaces.

Section 16.1.1.3 of the Official Plan sets forth the policies Council must have regard for when considering a Zoning By-law Amendment.

In considering an amendment to the Zoning By-law, Council shall be satisfied that:

- a) the proposed change is in conformity with the Official Plan;*

It is staff's opinion that the proposed Zoning By-law amendment is not in conformity with the Official Plan as it is not compatible with, or maintains, the existing surrounding residential character and does not meet the intent of the Plan to protect stable residential areas.

b) the proposed use is compatible with adjacent uses, and where necessary, buffering is provided to ensure visual separation and compatibility between uses;

The proposed redevelopment is not compatible with adjacent uses as there would be a negative impact on the neighbourhood from increased traffic.

c) potential nuisance effects upon adjacent uses are mitigated;

The potential nuisance effects of the commercial use, specifically the increased traffic have not been mitigated.

d) adequate municipal services are available;

It appears there are adequate sewer and water services available.

e) the size of the lot is appropriate for the proposed use;

The lot is not an appropriate size as the amount of required parking cannot be accommodated on site and there is insufficient distance between the intersection and the end of the lot to accommodate a full-movement access onto Mulock Drive, where there would potentially be no access onto Mulock Court.

f) the site has adequate road access and the boundary roads can accommodate the traffic generated;

The connections of the local road network to the arterial roads do not appear to be able to adequately accommodate the increased commercial traffic. It appears the only way to feasibly develop the site is with access from the residential road – Mulock Court. The Region will not permit a full-movement access from the property onto either Bayview Avenue or Mulock Drive. There have been discussions about a right-in/right-out only access from the west end of the property onto Mulock Drive. However, even if the grading would allow the access; feasibility of the development would require that there is still a point of entry from Mulock Court.

g) the on-site parking, loading and circulation facilities are adequate; and,

The applicant has requested a reduction to the parking required by the By-law. While staff do not have an issue with the reduction in principle, it does imply that the site is being over developed.

h) public notice has been given in accordance with the Planning Act.

Public notice has been given in accordance with the *Planning Act*.

It is staff's opinion that not all of the requirements of Section 16.1.1.3 for approval of a zoning by-law amendment have been satisfied.

COMMENTS

Community Consultation

A statutory public meeting was held on November 4, 2013. At that meeting, fourteen residents addressed Council in opposition to the development. Their concerns included: negative impacts of increased traffic in an “already busy area”, concern with respect to appropriateness of the entrance onto Mulock Court, the increased difficulty in turning left onto Prospect from Mulock Court, impact on market values of homes after the conversion to commercial, lack of communication with residents, concerns with the impact of a walk-in medical clinic, narrow sidewalks, the loss of the mature trees on the property, the appropriateness of a reduction in required parking, impact on the safety of children playing in the area, the potential for blocked emergency vehicles, satellite service being compromised by the building, negative impacts of construction on the community and overflow parking from the new use onto residential streets.

Prior to the statutory public meeting, the community had also expressed an interest and concern with the proposal through comments to the Planning Department through phone calls and counter enquiries.

Subsequent to the statutory Public Meeting, the Planning Department hosted two separate meetings, one with representatives of the neighbourhood and the applicant (April 15, 2014) and one with the applicant, the Town, and Region staff (May 13, 2014). None of these meetings produced any substantial or significant changes to the proposed plan to address residents' concerns.

Departmental and Agency Comments

The following departments and agencies have provided comments on the application:

York Region has reviewed the proposal and has no objections to the development. The applicant has revised the Traffic Impact Study (TIS) based on comments from the Region. The Transportation Planning Branch of the Transportation and Community Planning Department reviewed the applicant's re-submitted Transportation Impact Assessment and the re-submission addresses and satisfied their previous concerns regarding the above noted site. The Region also reviewed the Source Water Protection Risk Assessment and Risk Management Plan. They have advised that it satisfies the requirements for the Official Plan and Zoning By-law Amendment, but that it will have to be refined at the Site Plan stage.

Engineering Services have done a preliminary review of the proposed parking space reduction, the Functional Servicing Report, and the Site Servicing and Grading Plan. Planning and Engineering staff were concerned with the level of parking space reduction previously requested. The applicant revised their calculations when they revised their Traffic Impact Assessment; they did not reduce the size of the building.

Engineering Services staff have reviewed the revised TIS report and found that based on the traffic work provided by MMM Group in support of the application, the traffic concerns are mainly centred around the operations of the Mulock Court/Bayview Avenue intersection and community infiltration. Currently, the existing land uses (two houses) generate very little traffic. The proposed land uses generate significantly more traffic that needs access to the arterial road network. The proposed uses are not local in nature (i.e. drawing a large percentage of patrons not within walking distance), so the automobile will be the mode of choice. The closest access to the arterial road network is via Mulock Court. The Town raised concerns about the operation of the intersection with a significant amount of additional traffic because of the current level of service of Mulock/Bayview intersection and the queuing of southbound vehicles along Bayview Avenue through the Mulock Court/Bayview Avenue intersections. Vehicles already have a difficult time turning left onto Mulock Court, and they have an even greater difficulty turning left out of Mulock Court onto Bayview Ave.

In a follow-up letter from MMM Group, dated September 11, 2013, it is noted (page 2) that these outbound left-turning vehicles “would also either undertake a two-stage left turn, utilizing any courtesy gaps provided by southbound through traffic or use an alternate route”. So, the proposed mitigation is to either have traffic rely on courtesy gaps on Bayview Avenue or infiltrate the local community via Bondi Avenue. Historically, Bondi Avenue has had higher than anticipated traffic volumes. For local residential roads, the anticipated limit of daily traffic is 1,500 vehicles per day. For the last decade, Bondi Avenue has had over this daily limit. The additional pavement markings and all-way stop controls on Bondi Avenue were an attempt to reduce speeds (successful) and reduce traffic (less successful).

Therefore, the driver would have the choice of a courtesy gap or the infiltrate out of the area via local roads.

Public Works Services have provided comments relating to the Phase I Environmental Site Assessment (ESA), which can be addressed in future submissions and at the detailed design stage.

Central York Fire Services and the Building Division have no concerns with the application.

Peer Reviewer Comments

The Noise Control Report has been reviewed by Aiolos Engineering, they have no objection to the proposal, the comments received can be addressed during the detailed design stage.

The Market Impact Report has been reviewed by Scott Morgan & Associates Limited. The peer reviewer concluded that the proposed medical/commercial development would not negatively impact the Hospital Core or its future expansion plans. However, the intent of the Plan is still to direct this type of development to other, non-residential areas of Town.

The Arborist Report was reviewed by Arborvalley; additional work will be required which can be undertaken at the site plan stage.

Supporting Studies and Reports

In support of the application an Arborist Report, Archaeological Study, Market Impact Report, Shadow Study, Traffic Impact Study, Planning Justification Report, a Noise Control Study, Phase I Environmental Site Assessment, a Functional Servicing Report and a Source Water Risk Assessment and Risk Management Plan have been submitted. These reports have been reviewed by the appropriate agency and/or internal department.

COMMUNITY CONSULTATION POLICY

A statutory public meeting was held in accordance with the requirements of the *Planning Act*.

HUMAN RESOURCE CONSIDERATION

Not applicable to this report.

BUDGET IMPACT (CURRENT AND FUTURE)

There are no budget impacts anticipated, unless an appeal to the Ontario Municipal Board is filed.

CONCLUSION

The subject applications for Official Plan and Zoning By-law Amendments are not compatible with the surrounding neighbourhood and are not considered an appropriate redevelopment of this property.

Attachments: Location Map
Conceptual Site Plan and Building Elevations

CONTACT

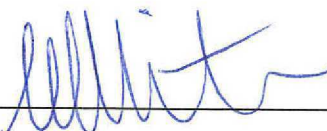
For more information on this report, contact: Meghan White, Planner, at 905-953-5321, ext 2458; mwhite@newmarket.ca



Commissioner, Development and Infrastructure
Services

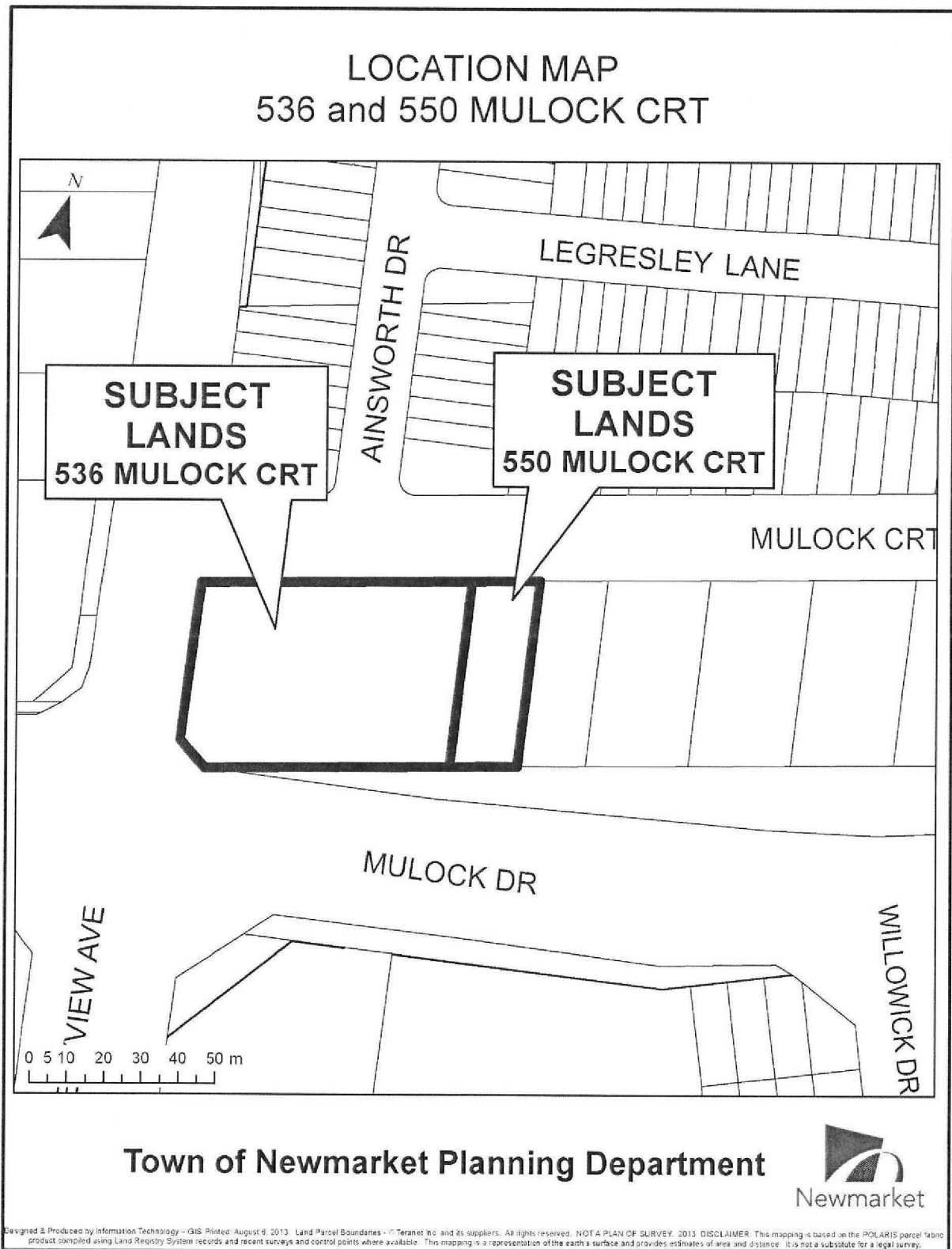


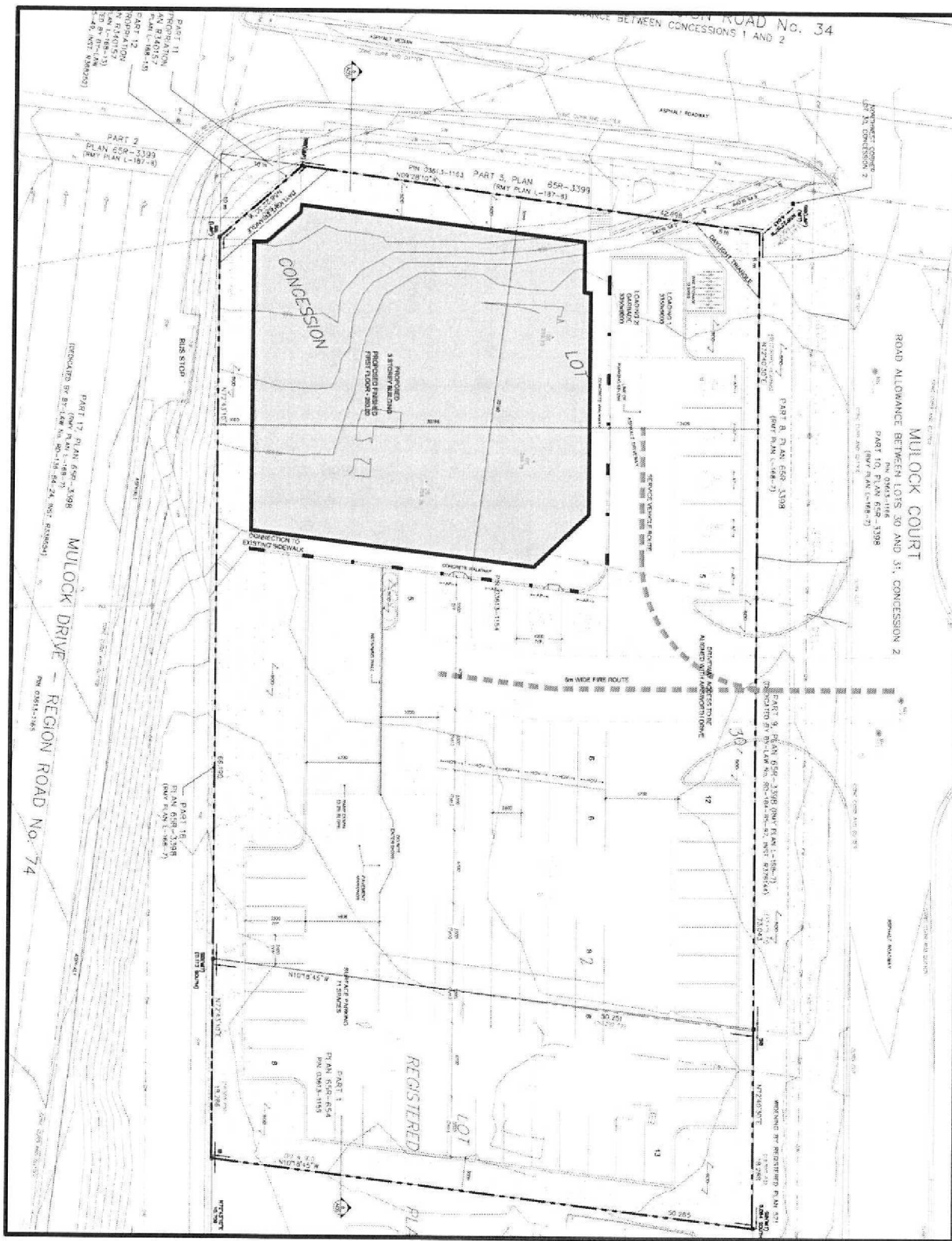
Director, Planning & Building Services

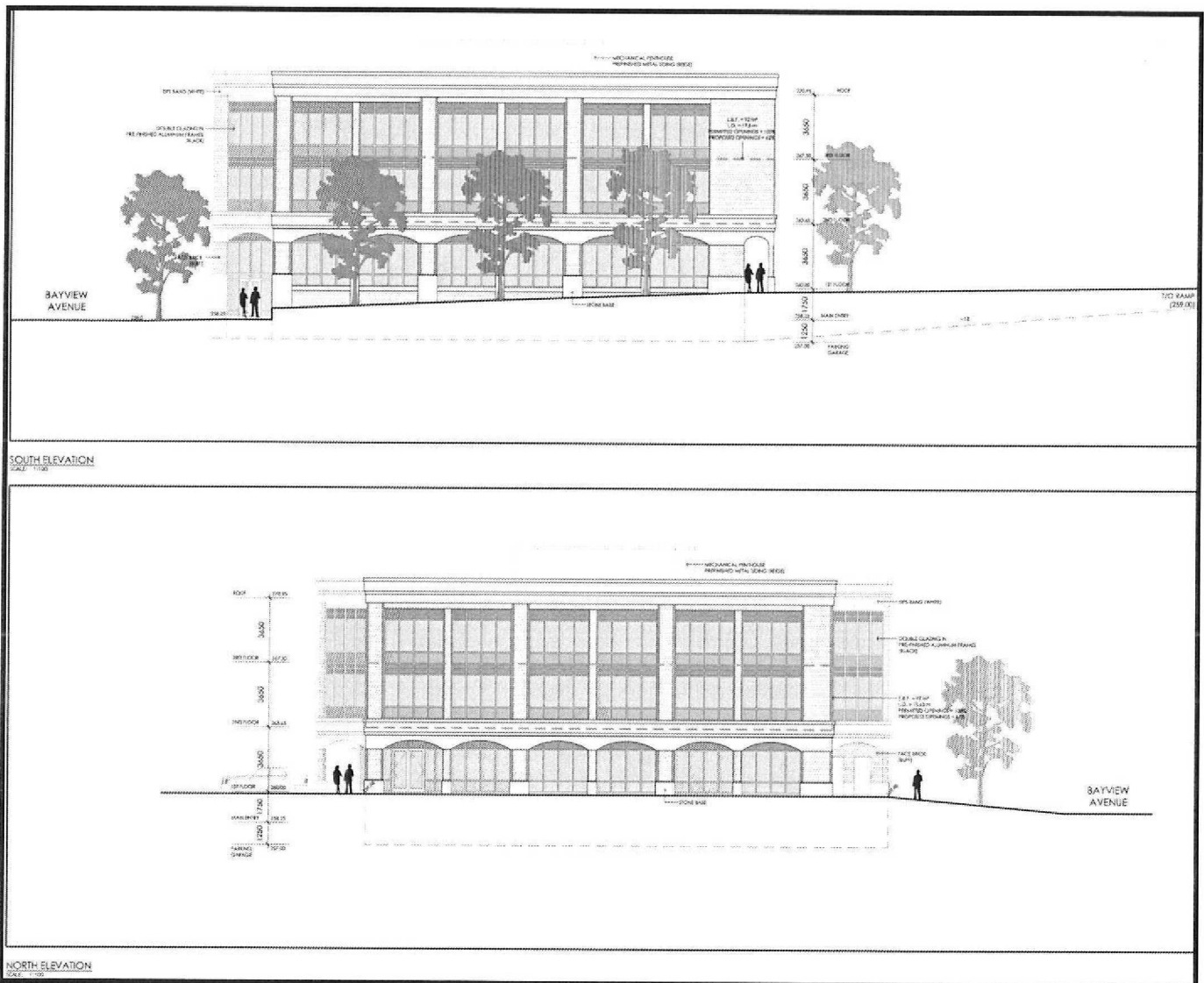


Planner

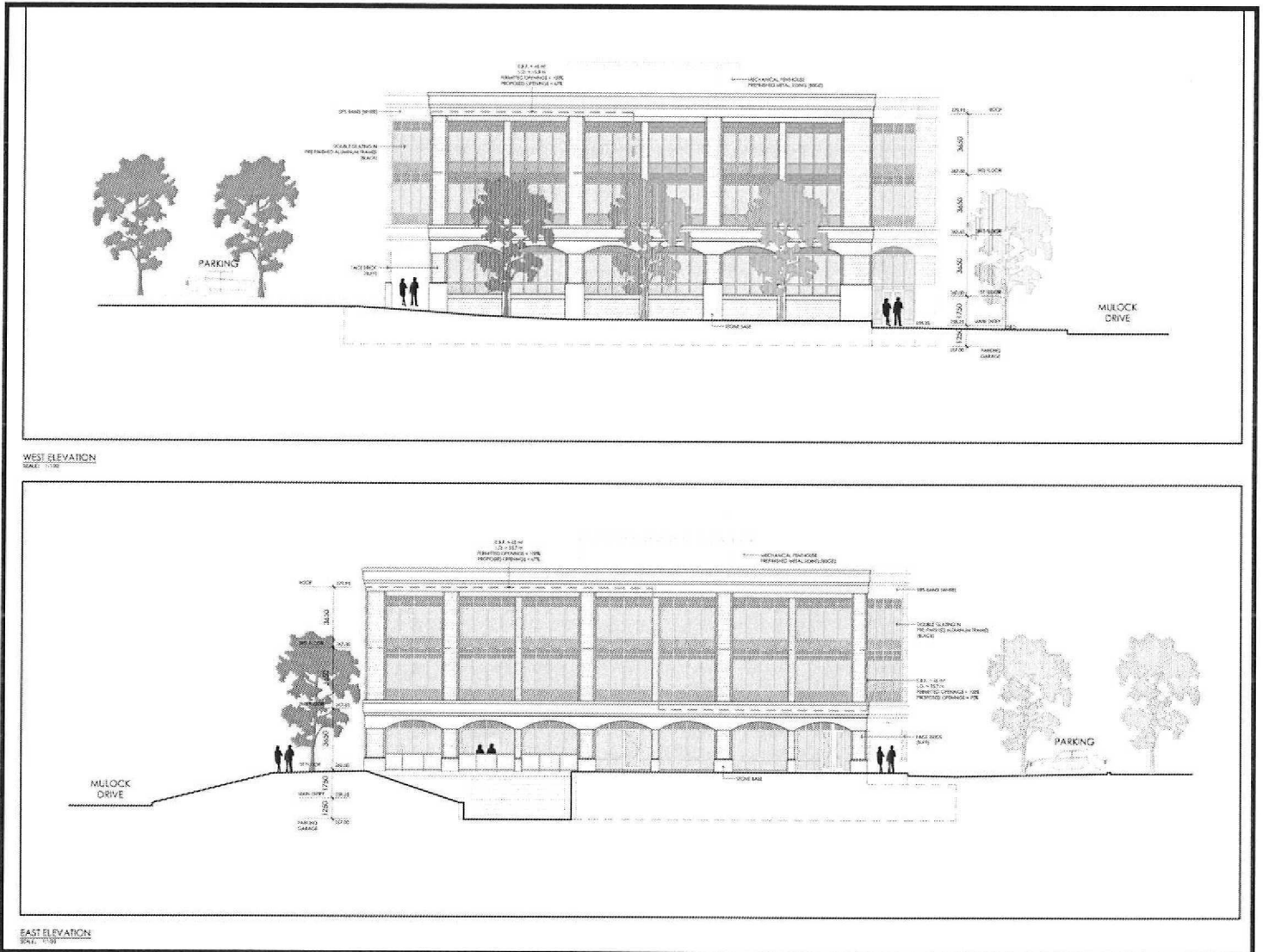
Location Map







Conceptual Building Elevations





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July 3, 2014

DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – ES2014-46

TO: Committee of the Whole

SUBJECT: Paolini Residential Subdivision RP- 65M-3881
Final Acceptance and Assumption of Underground and Aboveground Works

ORIGIN: Director, Engineering Services

RECOMMENDATIONS

THAT Development and Infrastructure Services Report – ES 2014-46 dated July 3, 2014 regarding the Final Acceptance and Assumption of Underground and Aboveground Works be received and the following recommendation be adopted.

1. THAT the request for final Acceptance and Assumption of Underground and Aboveground Works of the Paolini Residential Subdivision as shown on the attached map be finally accepted and assumed by the Town.

COMMENTS

We are in receipt of an application from R.J Burnside pursuant to the Paolini Residential Subdivision Agreement wherein a request for final acceptance and assumption of the underground and aboveground services is made. The Owner of the above mentioned site defaulted their obligation under the Subdivision Agreement and as result, the Town directed R.J.Burnside to coordinate the completion of the site work.

The maintenance period for works and services has been satisfied and all requirements for assumption have therefore been met.



All required documentation has been reviewed by our checking consultant, R.J. Burnside & Associates Ltd., and at this time no recommendation to release the performance security has been made.

We are assuming that all conveyances and easements described under Schedule B of the executed Subdivision Agreement have been satisfactorily completed; however, these items should be confirmed by our Legal Services Department.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

- Well Equipped and Managed...provides a thorough and timely consideration of applications for development and redevelopment in accordance with all statutory requirements;
- Well Planned and Connected...continues to improve the quality of the road network within the Town of Newmarket.

CONSULTATION

There is no public consultation with this recommendation.

BUDGET IMPACT

Operating Budget (Current and Future)

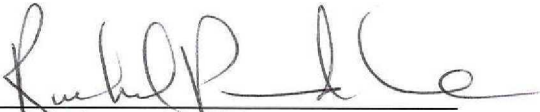
With this recommendation, the above captioned Paolini Residential Subdivision will now be under the Town's Operating Budget.

CONTACT

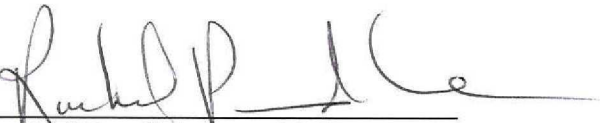
For more information on this report, contact Victoria Klyuev at 905-895-5193 extension 2513 or by e-mail at, vklyuev@newmarket.ca



V. Klyuev, C.E.T.,
Senior Engineering Development Coordinator - Residential



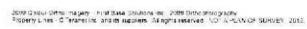
for R. Bingham, C.E.T.,
Manager, Engineering and Technical Services



Rachel Prudhomme, M.Sc., P.Eng.
Director, Engineering Services



Rob Prentice, Commissioner
Development and Infrastructure Services



Paolini Residential Subdivision RP- 65M-3881
Request for Final Acceptance and Assumption
of Underground and
Aboveground Works

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July 3, 2014

DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – ES2014-47

TO: Committee of the Whole

SUBJECT: Final Acceptance and Assumption of Underground and Aboveground Works for the Stickwood Walker Eco Development Farm Residential Subdivision RP-65M-4022

ORIGIN: Director, Engineering Services

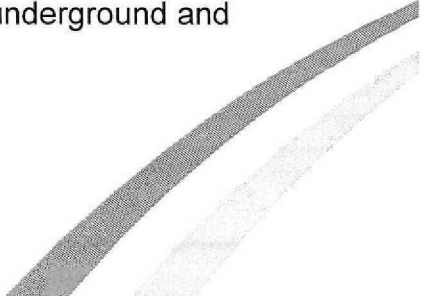
RECOMMENDATIONS

THAT Development and Infrastructure Services Report – ES 2014-47 dated July 3, 2014 regarding the Final Acceptance and Assumption of Underground and Aboveground Works be received and the following recommendations be adopted.

1. THAT the request for final Acceptance and Assumption of Underground and Aboveground Works of the Stickwood Walker Eco Development Farm Residential Subdivision as shown on the attached map be finally accepted and assumed by the Town;
2. AND THAT Mr. Vince Naccarato of Rodeo Fine Enterprises Inc., and Mr. Robert De Angelis, P. Eng., of Condeland Engineering Ltd. be notified of these recommendations.

COMMENTS

We are in receipt of an application from Condeland Engineering Ltd. on behalf of the Rodeo Fine Enterprises Inc. pursuant to Stickwood Walker Eco Development Farm Subdivision Agreement, wherein a request for final acceptance and assumption of the underground and aboveground works is made.



The maintenance period for works and services has been satisfied and all requirements for assumption have therefore been met.

All required documentation has been provided and reviewed by our checking consultant, R.J. Burnside & Associates Ltd., and at this time no recommendation to release the performance security has been made.

All other Departments with a vested interest in the development have confirmed all financial and legal obligations have been fulfilled.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

- Well Equipped and Managed...provides a thorough and timely consideration of applications for development and redevelopment in accordance with all statutory requirements;
- Well Planned and Connected...continues to improve the quality of the road network within the Town of Newmarket.

CONSULTATION

There is no public consultation with this recommendation.

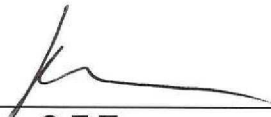
BUDGET IMPACT

Operating Budget (Current and Future)

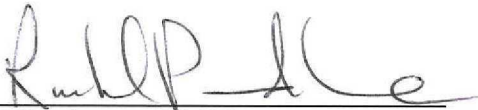
With this recommendation, the above captioned Stickwood Walker Eco Development Farm Residential Subdivision will now be under the Town's Operating Budget.

CONTACT


For more information on this report, contact Victoria Klyuev at 905-895-5193 extension 2513 or by e-mail at, vklyuev@newmarket.ca



V. Klyuev, C.E.T.,
Senior Engineering Development Coordinator - Residential



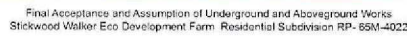
for R. Bingham, C.E.T.,
Manager, Engineering and Technical Services



Rachel Prudhomme, M.Sc., P.Eng.
Director, Engineering Services



Rob Prentice, Commissioner
Development and Infrastructure Services



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July 3, 2014
DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – ES2014-48
TO: Committee of the Whole

SUBJECT: Menkes – Stickwood Walker Farm Estates Residential Subdivision, RP- 65M-3942 Final Acceptance and Assumption of Underground and Aboveground Works

ORIGIN: Director, Engineering Services

RECOMMENDATIONS

THAT Development and Infrastructure Services Report – ES 2014-48 dated July 3, 2014 regarding the Menkes – Stickwood Walker Farm Estates Final Acceptance and Assumption of Underground and Aboveground Works be received and the following recommendations be adopted.

- 1. THAT the request for final Acceptance and Assumption of Underground and Aboveground Works of the Residential Subdivision as shown on the attached map be finally accepted and assumed by the Town;**
- 2. AND THAT Mr. Steven Menkes of Menkes Walker Farm Estates Inc., and Mr. John Kaczor, P. Eng., of MMM Group Ltd. be notified of these recommendations.**

COMMENTS

We are in receipt of an application from MMM Group Ltd. on behalf of the Menkes Walker Farm Estates Inc. pursuant to Menkes – Stickwood Walker Farm Estates Subdivision Agreement, wherein a request for final acceptance and assumption of the underground and aboveground works is made.

The maintenance period for works and services has been satisfied and all requirements for assumption have therefore been met.

All required documentation has been provided and reviewed by our checking consultant, R.J. Burnside & Associates Ltd., and at this time no recommendation to release the performance security has been made.

We are assuming that all conveyances and easements described under Schedule B of the executed Subdivision Agreement have been satisfactorily completed; however, these items should be confirmed by our Legal Services Department.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

- Well Equipped and Managed...provides a thorough and timely consideration of applications for development and redevelopment in accordance with all statutory requirements;
- Well Planned and Connected...continues to improve the quality of the road network within the Town of Newmarket.

CONSULTATION

There is no public consultation with this recommendation.

BUDGET IMPACT

Operating Budget (Current and Future)

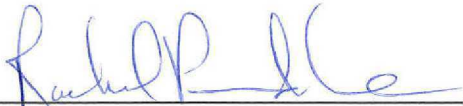
With this recommendation, the above captioned Menkes – Stickwood Walker Farm Estates Residential Subdivision will now be under the Town's Operating Budget.

CONTACT

For more information on this report, contact Victoria Klyuev at 905-895-5193 extension 2513 or by e-mail at, vklyuev@newmarket.ca



V. Klyuev, C.E.T.,
Senior Engineering Development Coordinator - Residential



for

R. Bingham, C.E.T.,
Manager, Engineering and Technical Services



Rachel Prudhomme, M.Sc., P.Eng.
Director, Engineering Services



Rob Prentice, Commissioner
Development and Infrastructure Services

