

September 11th, 2019

VIA EMAIL



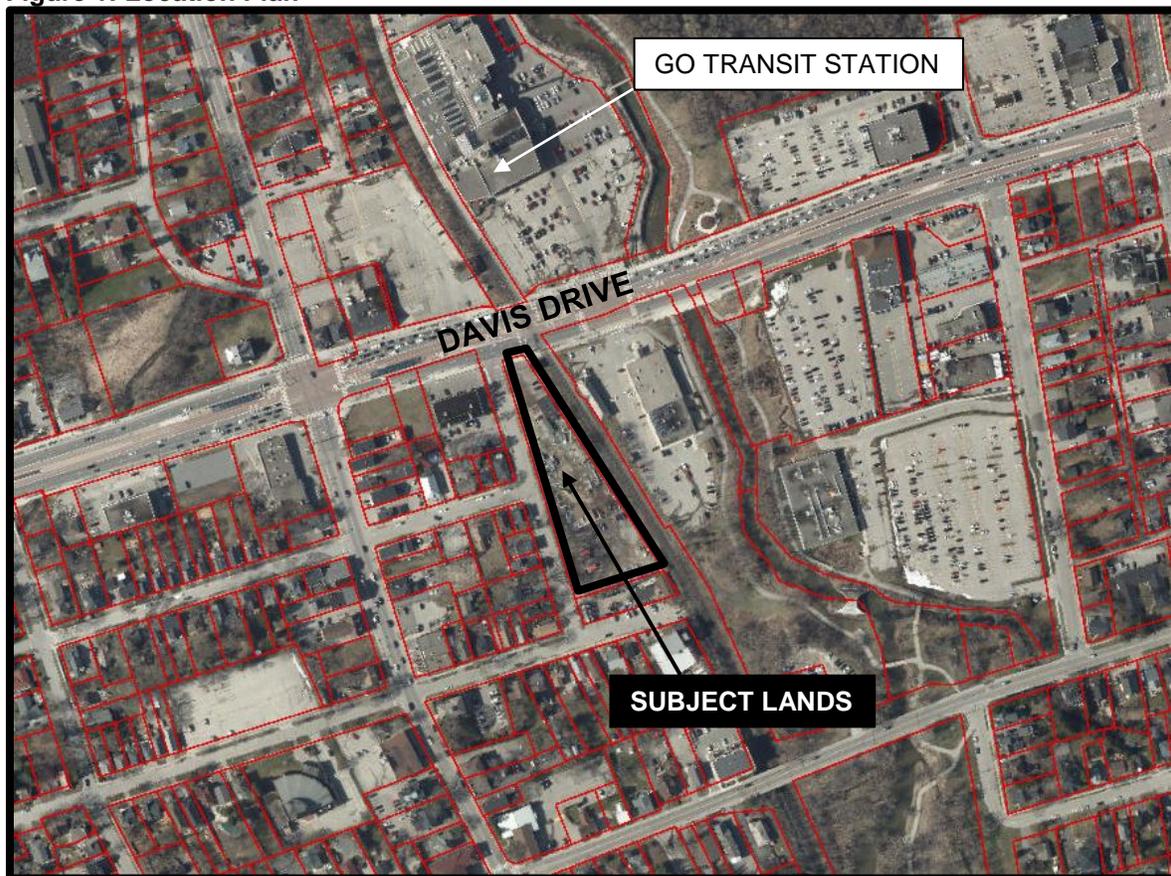
Adrian Cammaert
Manager of Planning
Town of Newmarket
Planning and Development
395 Mulock Drive
Newmarket, ON L3Y 4Y9

Dear Mr. Cammaert:

**Re: Proposed Urban Centres Zoning By-law 2019-06 Housekeeping Amendment
460 Davis Drive, Newmarket**

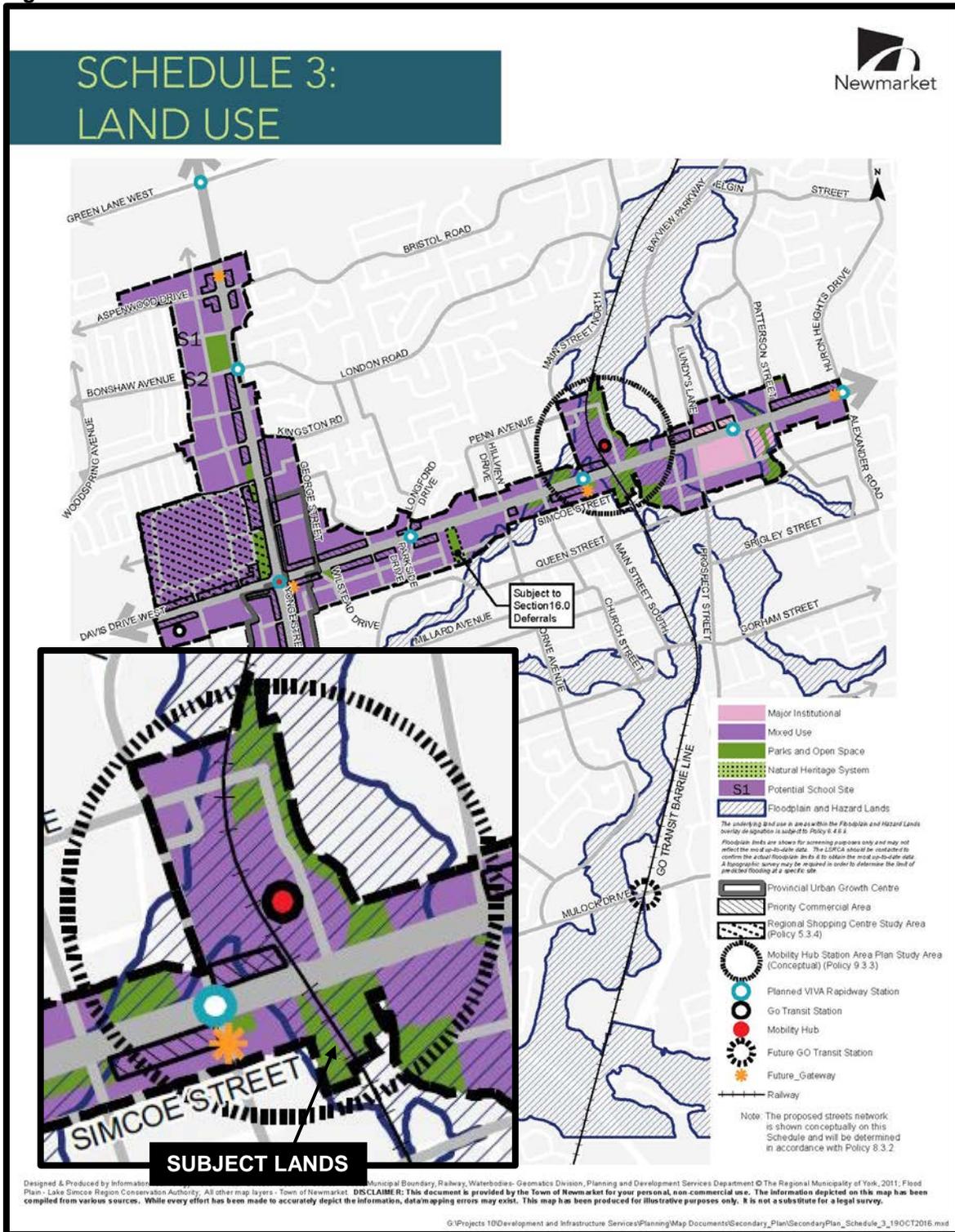
We represent 1925002 Ontario Inc., who owns the lands located at 460 Davis Drive in the Town of Newmarket, Region of York, which comprise approximately 0.57 hectares of land (**Figure 1**).

Figure 1: Location Plan



The lands are located within the Newmarket Urban Centres Secondary Plan which came into effect April 30, 2015 (save and except sections enacted by OMB Orders dated: May 26, 2016; May 30, 2016; and October 7, 2016). A letter of objection was not submitted by the current Owner with respect to the Secondary Plan given they were unaware of the proposed changes. According to Schedules 2 and 3, the lands are within the Davis Drive character area and are designated Parks and Open Space, and Floodplain and Hazard Lands (**Figure 2**). Previously, the lands were designated Mixed Use in the Town of Newmarket Official Plan 2006-2026.

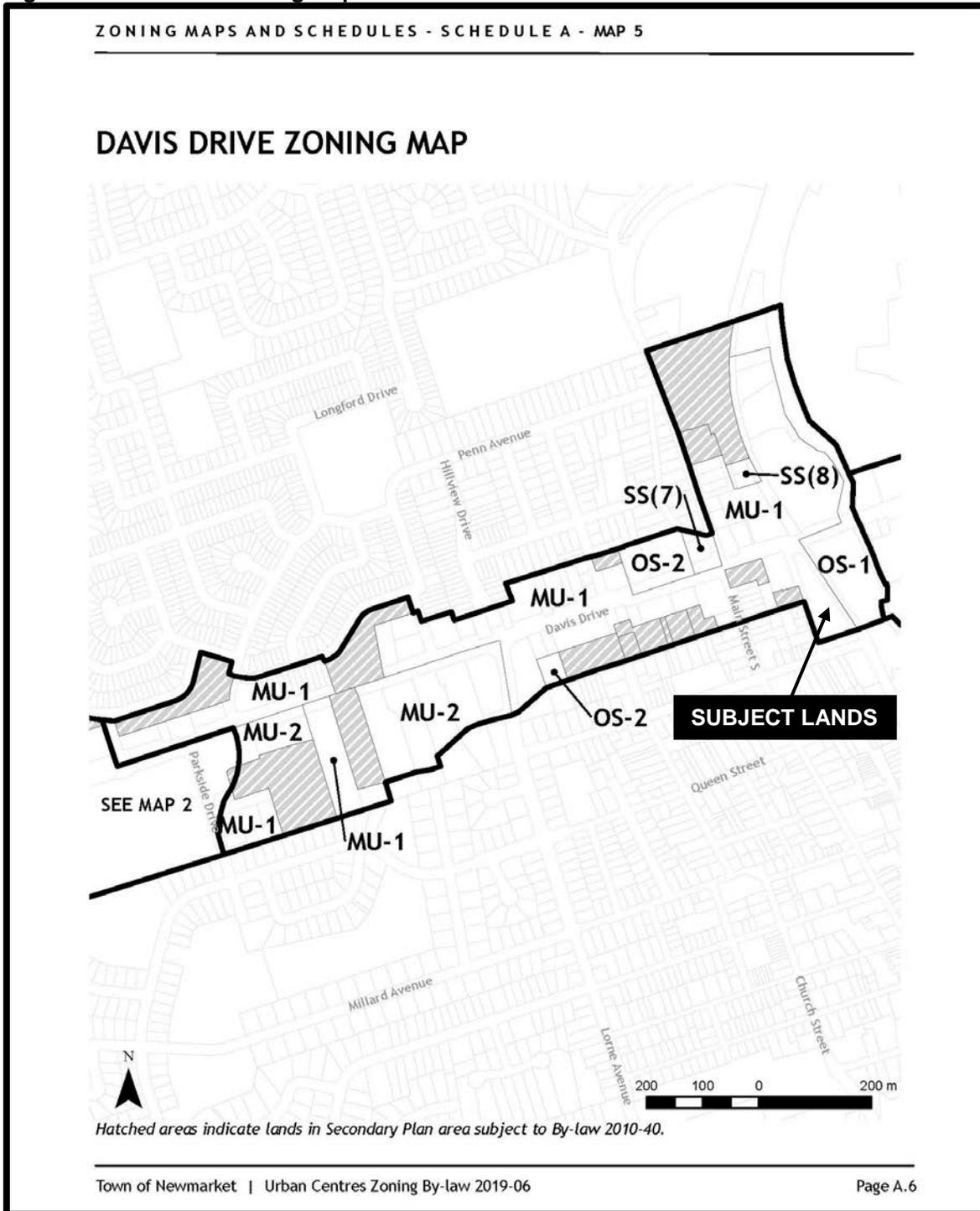
Figure 2: Schedule 3 Land Use



The Urban Centres Zoning By-law 2019-06 was approved by the Local Planning Appeal Tribunal (LPAT) on June 10, 2019 (PL180854). According to Map 5 - Davis Drive Zoning Map, the lands are zoned Mixed Use One (MU-1) (Figure 3). The current zoning on the lands corresponds with

the former Official Plan land use designation, however, our understanding from Staff is that this was a mapping error.

Figure 3: Davis Drive Zoning Map



It has been brought to our attention that a Housekeeping Amendment to the Urban Centres Zoning By-law 2019-06 is being brought forth to Council to address various mapping errors. Further, the subject lands at 460 Davis Drive were not rezoned to implement the current land use designation

when the Zoning By-law came into effect. The proposed Housekeeping Amendment would result in the subject lands being rezoned for Parks and Open Space Uses. My client objects to the proposed Zoning By-law Amendment on their lands for the following reasons.

Provincial Plans

A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019

Within the A Place to Grow (APTG): Growth Plan for the Greater Golden Horseshoe, 2019, Schedule 4 identifies Newmarket Centre as an Urban Growth Centre. Further, Schedule 5 identifies Newmarket as having Existing Higher Order Transit. The subject lands are adjacent, approximately 150 metres, from the Newmarket Metrolinx GO Station. The Newmarket GO Station is directly north of the subject lands on the north side of Davis Drive (**Figure 4**). As such, Sections 2.2.3 and 2.2.4 of the Growth Plan, and Section 1.6.7 of the Provincial Policy Statement have been discussed below.

Figure 4: Adjacent GO Transit Station



According to Section 2.2.3 of the APTG Plan, Urban Growth Centres, Urban Centres are intended as focal areas for investment, to accommodate and support the transit network, to serve high-density major employment centres; and accommodate significant population and employment growth. Furthermore, Section 2.2.3 identifies that Newmarket Centre is intended to achieve a minimum density target of 200 residents and jobs combined per hectare.

Section 2.2.4 includes policies related to Transit Corridors and Station Areas. Section 2.2.4.3.c) identifies that where a Go Transit Rail Network is present, the planned minimum density target is 150 residents and jobs combined per hectare. According to Section 2.2.4.9, development should be supported by planning for a mix of uses to support existing and planned transit service levels, fostering collaboration between sectors, providing alternative development standards and prohibiting land uses and built form that would adversely affect the achievement of transit-supportive densities. Further, Section 2.2.4.10 states lands adjacent to or near to existing and planned frequent transit should be planned to be transit-supportive and supportive of active transportation and a range and mix of uses and activities.

Provincial Policy Statement, 2014

Within the Provincial Policy Statement (PPS), 2014, Section 1.6.7 contains policies related to Transportation Systems, such as Metrolinx GO Transit. Section 1.6.7.3 identifies that a land use pattern, density and mix of uses should be promoted that minimize the trip length and number of vehicle trips and support current and future use of transit and active transportation.

Designating and zoning the lands for Parks and Open Space uses will adversely affect the achievement of the minimum density targets identified in Section 2.2.3 and 2.2.4 (APTG) , and the

mix of land uses and densities to support the current and future use of transit as identified by Section 1.6.7 (PPS). Further, the designation and zoning of the lands does not support the existing transit service in Newmarket Centre. The subject lands comprise 0.57 hectares of land and present opportunity for high density uses surrounding a transit station. Excluding the subject lands from development opportunities will limit the density of these lands, and the overall density that may be achieved in the transit area, mix of land uses to provide goods and services to residents, and does not assist in supporting users of the transit system. The subject lands contain an existing structure that is modest in size and the opportunity for intensification adjacent to a transit station is present. Intensification of these lands conforms to the Growth Plan and is consistent with the Provincial Policy Statement.

Floodplain

The lands are designated Floodplain and Hazard Lands and are regulated by the Lake Simcoe Region Conservation Authority (LSRCA). The Floodplain policies of the Secondary Plan were reviewed and the LSRCA was contacted to discuss the development potential of the subject lands. The flooding on the property is mapped at 2.0 metres, whereas, the acceptable level of flooding for commercial and industrial development is 0.8 metres in accordance with the LSRCA Watershed Development Guidelines. A Flood Study is required to confirm the level of flooding on the property and to identify a developable area, however, the presence of the Floodplain designation does not suggest these lands cannot be developed for higher density uses.

Parkland

The subject lands have been identified as Parks and Open Space in the Urban Centres Secondary Plan. Based on information received from the Town, there is deficiency of parkland, and a number of parcels have been identified by the Town for future parkland opportunities, including the subject lands. It is our understanding the Town has recently acquired an expensive piece of Parkland at Yonge and Mulock Drive, and have no plan of acquiring additional parkland in the near future. The flooding on the property can be mitigated to permit development, and support the major transit station area service. In my opinion, permitting mixed use development on these lands presents the highest and best use for the property. Previously, the Town of Newmarket Official Plan designated these lands for Mixed Use development and did not envision this site as a public park. The historic use of this property and surrounded mixed use development supports the appropriateness for development and higher density on this site than what currently exists today, and what is envisioned by the Urban Centres Secondary Plan.

For the reasons as outlined in this Letter, the Owner of the property at 460 Davis Drive objects to the proposed Housekeeping Amendment to the Town of Newmarket Urban Centres Zoning By-law 2019-06. The Province envisions properties surrounding Transit Stations, such as the subject lands, to be developed with a mix of uses and densities. The policies contained in the Provincial Planning documents support that mixed use development would be the highest and best use of these lands and appropriate for the growth and development of the Major Transit Station Area.

We look forward to your review, and continuing to be involved in this process.

Yours truly,

THE JONES CONSULTING GROUP LTD.



Taylor Pratt-Dafoe, B.URPL
Planner

c: 1925002 Ontario Inc.