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Official Plan and Zoning By-Law Amendment Glenway Blocks 164 & 165
Staff Report to Council

Report Number: 2019-77

Department(s): Planning and Building Services

Author(s): A. Slattery

Meeting Date: August 26, 2019

Recommendations

1.That the report entitled Official Plan and Zoning By-Law Amendment Glenway Blocks 164 & 165 dated August 26, 2019 be received; and,

2. That the application for Official Plan & Zoning By-Law amendment, as submitted by Marianneville Developments Limited for Blocks 164 and 165 of the Estates of Glenway Community subdivision, be referred to a statutory public meeting; and,

3.That following the public meeting, issues identified in this report, 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; and,

4. That the applicant be notified of this action.

Executive Summary

Staff have received an application to amend Official Plan 2006 and Zoning By-law 2010-40 to permit the development of stacked townhouses and live-work units on the subject lands known as Block 164 and165 of Plan of Subdivision 65M-4587, Estates of Glenway Community. Staff have reviewed the development proposal against the relevant Provincial, Regional and local policy documents and have concluded that the proposal is sufficiently advanced to warrant referral to the required statutory public meeting.

Purpose

The purpose of this report is to provide Council with the details of the application, the comments to date, and to recommend referral of the Official Plan and Zoning By-law Amendment application to the required statutory public meeting.

Background

Subject Lands

The subject lands are located within the most northeasterly portion of the Estates of Glenway Community subdivision, as approved by the Ontario Municipal Board in 2014. Blocks 164 and 165, as outlined on Plan of Subdivision 65M-4587, are located south of Davis Drive, east of Mitchell Place and west of the GO Bus Terminal. The subject lands are currently vacant and devoid of significant natural features or vegetation. The lands have a land area of approximately 2.71 ha (6.7 acres). The surrounding land uses are as follows:

North: Future residential development lands (Sundial Homes)

East: GO Transit Station

South: Stable residential lands, single-detached dwellings

West: Emerging residential lands, townhomes



The subject lands were subject to Official Plan Amendment 16 (OPA 16) in 2014, which designated the lands to permit 4 to 6 storey apartment buildings and mixed use “live-work” units. The subject lands are currently zoned Residential with Exception (H)(R5-T-125) and retail Commercial with Exception (H)(CR-2-126), to permit apartment dwellings 4 to 6 storeys in height, an elementary school and residential uses in the form of live work units.

Proposal

The applicant is proposing to amend the Official Plan to expand the permitted uses on the subject property, to include stacked townhouse units as a permitted use. The applicant is further seeking to amend Zoning By-law 2010-40 to permit twelve townhouse buildings for residential and commercial uses, consisting of 304 dwelling units, 12 of which are proposed as live-work units.

Live-work Units



The proposed live-work units will be located on the ground floor of Buildings 1 and 2, which are situated in the northwest corner of the subject lands, closest to the intersection of Mitchell Place and Davis Drive West.

The general built form for each live-work building is similar in design; each building features a garage with both an internal access through the garage and exterior access to the dwelling unit.



The commercial units will be located facing Mitchell Place and Davis Drive, will have up to 60 square metres of commercial space, and will have pedestrian access from the abutting streets.

Parking for the live-work units will be provided in a lot at ground-level.

Residential Units

Buildings 3-13 are proposed to be developed as stacked townhouses, each consisting of 20 to 36 units, resulting in a total of 292 dwelling units. The stacked townhouses are proposed to have four habitable levels, with the lower level being partially below grade, resulting in a height of 3.5 storeys. The stacked townhouse buildings will consist of one, two and three bedroom units.

The stacked townhouse dwellings are similar in design to the proposed-live-work units, however the stacked townhouses buildings do not include an attached garage.

Parking for the residential units will be provided in an underground parking garage, with visitor parking spaces located at ground-level.



Open Space

The proposed development includes a strip of open space along the southerly portion of the subject lands, which is consistent with the previously approved development concept. The open space strip is approximately 30 metres in width and is proposed to act as a buffer space between the proposed stacked townhouses and the existing single-detached dwellings to the south of the subject lands. This open space area will act as a private park area for residents.

The applicants are also proposing amenity spaces in the centre of the development and in the northwest corner of the subject lands, abutting Davis Drive and Mitchell Place.

Parking and Transportation

The majority of parking for the stacked townhouse units is proposed to be located underground, with the access point located centrally. Parking for the commercial units and visitor parking will be provided in lots at grade level.

Access to the subject lands is proposed from an all turns access on Mitchell Place to the west, which connects to a signalized connection to Davis Drive West. Emergency access will be designed through a hard-surface landscaped area in the northwesterly corner of the site.

Pedestrian access points are planned from Mitchell Place and Davis Drive.

The subject lands are located adjacent to the GO Bus Terminal, and are located on the VIVA transit route along Davis Drive, providing public transit options for residents.

Discussion

The following section will review the development proposal against applicable planning policy.

Provincial Policy Statement

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Policy Statement sets the policy foundation for regulating the development and use of land. It also supports the provincial goal of enhancing the quality of life for Ontario citizens.

The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The PPS supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The Provincial Policy Statement is intended to be read in its entirety and the relevant polices are to be applied to each situation.

The policies set out in the PPS outline how healthy, liveable and safe communities are to be sustained. This includes promoting efficient development and land use patterns which sustain financial well-being of the Province and municipalities over the long term, and accommodating an appropriate range and mix of residential, employment, recreation, park and open space and other uses to meet long term goals.

The policies also direct municipalities to provide for a range and mix of housing types and densities, including implementing minimum targets for affordable housing and facilitating diverse forms of housing and residential intensification.

The proposed development is consistent with the PPS by providing a mix of housing types within the settlement area of the Town of Newmarket. Stacked townhouses and live-work units represent a newer type of residential development that is more compact and generally more affordable than traditional low-density residential development, such as single-detached dwellings. The proposal provides for a compact form allowing for the efficient use of land and infrastructure, and promotes the use of active transportation and public transit options.

A Place to Grow – Growth Plan for the Greater Golden Horseshoe

The Growth Plan for the Greater Golden Horseshoe 2019 (Growth Plan) provides a framework for implementing the Government of Ontario's vision for building stronger, prosperous communities by better managing growth in the region. It demonstrates the ways in which our cities, suburbs, towns and villages will grow over the long term. The Growth Plan guides decisions on a wide range of issues, including transportation, infrastructure planning, land-use planning, urban form, housing, natural heritage and resource protection.

Regional and municipal plans are required to conform to the Growth Plan, as well as decisions on individual planning applications.

The Growth Plan identifies an Urban Growth Centre in Newmarket, the boundaries of which are generally surrounding the intersection of Yonge Street and Davis Drive and are more specifically delineated in the local Official Plan. The Growth Plan sets a target of 200 residents and jobs per hectare for the Newmarket Centre Urban Growth Centre. The proposed development lands are located adjacent to the boundaries of the Urban Growth Centre, along Davis Drive.

The Growth Plan contains policies directing municipalities to create complete communities, reduce the dependence on private automobile through mixed-use and transit-supportive development; provide for high quality public spaces; support transit, walking, and cycling; implement minimum affordable housing targets in accordance with the PPS; and achieve an appropriate transition of built form to adjacent uses.

This development proposal aligns with the objectives of the Growth Plan by:

- providing a mix of built forms;
- seeking to meet affordable housing targets;
- providing a range of size and types of dwelling units; and
- supporting transportation demand management through it's proximity to the Davis Drive corridor and accessibility of public transit options.

York Region Official Plan

Development applications in the Town of Newmarket are required to conform to the York Region Official Plan (YROP). The YROP designates the subject lands as part of the "Urban Area", which is the primary area for accommodating growth. A minimum of 40% of all residential development in York Region is to occur within the built-up area, which includes the subject lands. This application supports the achievement of this target.

In addition, the application generally supports the YROP policies related to intensification. The application supports the YROP policy of permitting a mix and range of housing types, lot sizes, unit sizes, functions, tenures, and levels of affordability. Based on its location adjacent to Davis Drive, the application supports the YROP targets of locating 50 percent of residents within 200 metres of a transit stop, and 90 percent of residents within 500 metres of a transit stop.

The Region of York has provided comments on the proposed development application which are addressed further in this report.

Official Plan Considerations

The subject lands are designated Emerging Residential on Schedule "A" Land Use of the Newmarket Official Plan. Section 3.0 Residential Areas, of the Town's Official Plan describes the two types of residential designations, Stable Residential and Emerging Residential. Stable Residential areas currently have a mix of housing forms including rowhouses, townhouses, duplexes, fourplexes, apartments and other multi-unit buildings, however, only permit single detached and semi detached dwellings through

new infill development. Emerging Residential areas permit single detached and semi detached dwellings, however townhomes are also permitted provided the use is appropriately justified. The policies of the plan direct new developments of these forms to the Urban Centres and the Emerging Residential areas, where appropriate, in order to manage change in a manner that will maintain neighbourhood character.

Emerging Residential areas represent future residential areas that are in the process of being developed or are anticipated to be developed but will eventually become Stable Residential areas. These areas may develop at low densities similar to the Stable Residential areas while providing for a range of innovative and affordable housing types, zoning standards and subdivision designs.

The objective of the Emerging Residential designation is to provide for a range of residential accommodation by housing type, tenure, size, location and price ranges to help satisfy the Town's housing needs; and to encourage the provision for a range of innovative and affordable housing types, zoning standards and subdivision designs.

In 2014, the subject lands were subject to Official Plan Amendment 16 (OPA 16), which was approved by the Ontario Municipal Board and adopted by the Town of Newmarket on November 18th, 2014. The purpose of OPA 16 was to change Schedule "A" Land Use Designations" as it related to parts of the former Glenway Country Club lands, and to add a special policy to Section 33 Emerging Residential Areas. The special policy reads as follows:

Town of Newmarket Official Plan Section 3.3.2.5:

Within the Emerging Residential Area located on Davis Drive, immediately west of the GO Bus Terminal, permitted uses shall also include 4 to 6 storey apartment buildings and mixed use "live-work" units.

The applicant is proposing to re-designate the subject lands to permit stacked townhouse dwellings opposed to the 4 to 6 storey apartment buildings that were previously approved by OPA 16. The applicants are looking to maintain the "live-work" units as a permitted use on the subject lands.

The proposal has been designed to include a landscaped buffer strip of approximately 30 metres along the southerly boundary of the site where it abuts existing residential dwellings. In addition, a 1.8 metre high wood privacy fence is proposed to be constructed 0.3 metres inside the property line along the southerly lot boundary.

The Official Plan would encourage this type of development within the Emerging Residential designation which looks to provide for a range of residential accommodations, including stacked townhouse development.

Compatibility and Site Suitability

The existing neighbourhood is a mix of low to medium density dwellings. To the south of the subject lands are Stable Residential lands, consisting of single-detached dwellings.

To the west and southwest of the subject lands there are Emerging Residential lands, consisting of townhouses dwellings currently under construction. To the north of the subject lands, across Davis Drive, are Emerging Residential lands, currently proposed for future townhome development. The applicants have proposed a 30 metre open space area between the proposed stacked townhouses and the existing single-detached dwellings, as well as a 1.8 metre high wood privacy fence, to act as a buffer between the two land uses.

From Davis Drive, the proposed stacked townhouse units will be similar in style and massing to the townhouse development to the west, and the proposed townhouse development to the north, creating a similar streetscape.

With regard to the physical suitability of the site to accommodate the proposed development, Engineering Services have reviewed the grading, water distribution, sanitary service and stormwater, and have indicated that the proposed use can be graded and serviced in an acceptable manner.

Zoning By-law Considerations

The subject property is currently zoned Residential with Exception (H)(R5-T-125) and retail Commercial with Exception (H)(CR-2-126). The zoning for the subject property was approved by the Ontario Municipal Board in 2014, and amended by By-law number 2014-25.

The R5-T-125 zone permits apartment dwellings 4 to 6 storeys in height. The zone also permits an elementary school in accordance with the I-B zone regulations.

The CR-2-126 zone permits residential uses in the form of live work units, and commercial uses including the following: art gallery, studio, personal service shop, retail store, and office, as well as an elementary school.

The applicant is proposing to replace the existing R5-T-125 and CR-2-126 zones with a consolidated Residential Exception Zone (R5-T-125). The R5-T-125 zone would consolidate the permissions for the existing R5-T-125 and CR-2-126 zones, would add stacked townhouses as a permitted use, including site specific regulations, and remove elementary school as a permitted use. The proposed zone defines which part of the subject lands may be used for the live work units, specifying a depth of 80 metres from Mitchell Place.

Roads and Traffic

The submitted Traffic Impact Study has been reviewed by Engineering Services, who have concurred that the proposed OPA and ZBA will not have a significant impact on the previously approved Transportation Impact Study. They note that the Transportation Demand Management Plan is acceptable, subject to the Region’s approval of the recommendations outlined in the report.

Stormwater Management and Storm Drainage

Engineering Services have indicated that the subject site is designed to outlet to Pond 4 of the Glenway subdivision. They note that the imperviousness level of the revised site is higher than that allocated in the subdivision design. As such, an on-site underground storage chamber is proposed to provide adequate quantity control. It is noted that no additional measures are required for quality control, as the pond as designed can provide the adequate level of quantity control. Engineering Services note that the following items are to be addressed at the Site Plan Application stage:

- Detailed calculations for the runoff coefficients and imperviousness
- Any permanent dewatering from the underground parking is to be discussed and accommodated in the stormwater management design
- Additional Low Impact Development measures are to be reviewed and implemented during the detailed engineering design stage

Sanitary Drainage, Water Servicing and Grading

Engineering Services note that changes may be required of the calculations for proposed flows of the development, however this should be addressed at the detailed design stage. It is noted that the proposed watermain system is sufficient to support the proposed use and justification for the proposed watermain size should be provided at the Site Plan stage. Additional details regarding grading will also be required at the Site Plan stage.

Noise

The submitted Noise Impact Study has been reviewed and engineering staff have concurred that the proposed development noise can be accommodated with mitigation measures, and that additional comments will need to be addressed at the Site Plan stage.

Vibration

On March 18 2019, staff brought forward Report 2019-29 to Council recommending vibration impact assessments be required as part of a complete application for development proposals. As the pre-consultation for the proposed development was held June 2018, prior to this process being approved, a vibration impact assessment had not been established as a requirement for a complete application. Staff will be contacting the applicant and requesting a vibration impact assessment be submitted to the Town for review.

Environmental Site Assessment

The submitted Phase One and Two Environmental Site Assessments have been reviewed by Engineering Services. It is noted that the proposed change use of land will have no bearing on the Record of Site Condition filed with the Ministry.

Department and Agency Comments

The development proposal has been circulated internally and externally to the public and the Town's review partners. Many of the comments provided are outlined in the discussion section above. Additional comments from several review partners are provided below for greater context.

York Region

Staff from the Regional Municipality of York have provided comments on the application. They note that they have no objections to the Official Plan Amendment and Zoning By-law Amendment, and that they are of the opinion that the proposal appears to be a routine matter of local significance and will not adversely affect Regional planning policies or interests, and could potentially qualify for an exemption from Regional approval.

Technical comments from York Region will be addressed through the appropriate planning tools.

Engineering Services

Staff from Engineering Services have provided comments on the application outlined in the above section.

Lake Simcoe Region Conservation Authority

The Lake Simcoe Region Conservation Authority (LSRCA) has reviewed the application in accordance with the Natural Heritage and Natural Hazard policies of the Provincial Policy Statement (PPS), the Greenbelt Plan, the Lake Simcoe Protection Plan (LSPP), and Ontario Regulation 179/06 under the Conservation Authorities Act, and have provided comments applicable to the application.

The LSRCA notes they are in the process of reviewing the submitted materials and technical comments will follow under a separate cover once technical review has been completed. These will be provided to inform the preparation of the subsequent detailed design submission (Site Plan) for these lands.

Based on the review of the submitted information, the LSRCA does not object to the approval of this Application for Official Plan and Zoning By-Law Amendment.

Other Review Partners

- The York Region District School Board has been advised of the application and they have noted that they have no objections to the approval of the proposed OPA and ZBA.
- Canada Post has been advised of the application and they have noted they do not have any comments at this time.

- The Southlake Regional Health Centre has been advised of the application and they have noted the ongoing need for capital investment and public support to meet the needs of the region's growing population.

Conclusion

The subject application for Official Plan and Zoning By-Law Amendment for Blocks 164 & 165 of the Estates of Glenway Community subdivision is sufficiently advanced to warrant its referral to a statutory public meeting.

Business Plan and Strategic Plan Linkages

This development proposal relates to the vision, mission and strategic priorities of the Town of Newmarket by providing opportunities for varied housing types, affordability and densities, utilizing ongoing community engagement, managing traffic and growth, and promoting safe and active transportation.

Consultation

The Official Plan and Zoning by-law Amendment application has been provided to the Town's review partners per standard practice. Notice has been provided to persons and bodies as required by Ontario Regulation 545/06 of the Planning Act.

The recommendations of this report refer the applications to the statutory public meeting as required by the Planning Act.

Human Resource Considerations

N/A

Budget Impact

The appropriate planning application fees have been received for the Official Plan Amendment and Zoning By-law Amendment. The Town will also receive revenue from development charges and assessment revenue with the development of this proposal in the event the applications are approved.

Attachments

- Location Map
- Proposed Site Plan
- Proposed Conceptual Landscape Plan
- Perspective Elevations

Approval

Alannah Slattery, BES, MCC

Planner and Secretary-Treasurer, Planning and Building Services

Jason Unger, MCIP RPP

Acting Director, Planning and Building Services

Peter Noehammer, P.Eng

Commissioner, Development & Infrastructure Services

Contact

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